A

COLLECTION

OF THE

PUBLIC GENERAL STATUTES

PASSED IN THE

Twenty-eighth and Twenty-ninth Years

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the SEVENTH SESSION of the EIGHTEENTH PARLIAMENT of the United Kingdom of GREAT BRITAIN AND IRELAND.

1961
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A

TABLE

OF

All the STATUTES passed in the SEVENTH Session of the EIGHTEENTH Parliament of the United Kingdom of GREAT BRITAIN AND IRELAND.

28° & 29° *VICT.*

PUBLIC GENERAL ACTS.

I. AN Act to amend certain clerical Errors in the Civil Bill Courts Procedure Amendment Act (*Ireland*), 1864.

II. An Act to extend the Powers now vested in Justices of the Peace to grant Licences to deal in Game to the Divisional Magistrates within the Police District of *Dublin* Metropolis.

III. An Act for the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom.

IV. An Act to apply the Sum of One hundred and seventy-five thousand six hundred and fifty Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-five.

V. An Act for the Incorporation of the Territories of *British Kaffraria* with the Colony of the *Cape of Good Hope*.

VI. An Act for the Protection of Inventions and Designs exhibited at the *Dublin* International Exhibition for the Year One thousand eight hundred and sixty-five.

VII. An Act to confirm a Provisional Order under "The General Police and Improvement (*Scotland*) Act, 1862," relating to the Burgh of *Perth*.

VIII. An Act to amend "The Election Petitions Act, 1848," in certain Particulars.

IX. An Act to allow Affirmations or Declarations to be made instead of Oaths in all Civil and Criminal Proceedings in *Scotland*.

X. An Act to apply the Sum of Fifteen Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-five.

XI. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

XII. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

XIII. An Act to confirm certain Provisional Orders under "The Drainage and Improvement of Lands Act (*Ireland*), 1863," and the Act amending the same.

XIV. An Act to make better Provision for the Naval Defence of the Colonies.

XV. An Act to extend the Term for granting fresh Letters Patent for the High Courts in *India*, and to make further Provision respecting the Territorial Jurisdiction of the said Courts.

XVI. An Act to make further Provision for the Management of the Unredeemed Public Debt in *Ireland*, and for the Reduction of the Interest payable on certain Sums advanced by the Bank of *Ireland* for the Public Service.

XVII. An Act to enlarge the Powers of the Governor General of *India* in Council at Meetings for making Laws and Regulations, and to amend the Law respecting the Territorial Limits of the several Presidencies and Lieutenant Governorships in *India*.

XVIII. An Act for amending the Law of Evidence and Practice on Criminal Trials.

XIX. An Act to extend the Period for borrowing the Sum authorized to be raised under the Metropolitan Main Drainage Extension Act, 1863.

XX. An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*.

XXI. An Act to amend the *Irish* Bankrupt and Insolvent Act, 1857.

XXII. An Act to amend the Acts relating to the *Scottish* Herring Fisheries.

XXIII. An Act to confirm a Provisional Order under "The Land Drainage Act, 1861."

XXIV. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Bridlington*, *Brighouse*, *Burnley*, *Henley*, *Shipley*, *Wallingford*, *Llangollen*, *Ormskirk*, *Swansea*, *Tormoham*, and *Lockwood*.

XXV. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Derby*, *Ramsgate*, *Oswestry*, *Bury*, *Heap*, *Cockermouth*, *Matlock Bath*, and *Bromsgrove*.

XXVI. An

XXVI. An Act to provide for Superannuation Allowances to Officers of Unions in *Ireland*.

XXVII. An Act for awarding Costs in certain Cases of Private Bills.

XXVIII. An Act to authorize certain Payments out of the Land Revenues of the Crown to provide Compensation for certain Claims in the *Isle of Man*.

XXIX. An Act for raising the Sum of One Million Pounds by Exchequer Bonds for the Service of the Year One thousand eight hundred and sixty-five.

XXX. An Act to grant certain Duties of Customs and Inland Revenue.

XXXI. An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Lands for improving the Site of the new Public Offices in *Downing Street* and the Appr[illegible] thereto.

XXXII. An Act to enable the Secretary of State in Council of *In*[illegible] acquire additional Lands for improving the Site of the *India* Offic[illegible] the Approaches thereto.

XXXIII. An Act to repeal the Act of the Parliament of *Ireland* [illegible] Sixth Year of *Anne*, Chapter Eleven, for explaining and amen[illegible] the several Acts against Tories, Robbers, and Rapparees.

XXXIV. An Act to make the Metropolitan Houseless Poor [illegible] perpetual.

XXXV. An Act to amend the Law relating to the Police Superannuation Funds in Counties and Boroughs.

XXXVI. An Act to amend the Law relating to the Registration of County Voters, and to the Powers and Duties of Revising Barristers in certain Cases.

XXXVII. An Act to make better Provision respecting the Transaction of County Business and the Administration of Justice at Quarter Sessions in the County of *Sussex*; and to confirm certain Proceedings of the Justices of the said County.

XXXVIII. An Act to authorize the Alteration of the Time for holding Statutory Meetings of Commissioners of Supply in *Scotland*.

XXXIX. An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*.

XL. An Act to extend to the Court of Chancery of the County Palatine of *Lancaster* certain of the Provisions of an Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of Her present Majesty, intituled *An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills*.

XLI. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Sheffield*, *Bradford*, and *Gloucester*.

XLII. An Act for facilitating the Annexation of Tithes to District Churches.

XLIII. An Act to provide for the Security of Property of Married Women separated from their Husbands in *Ireland*.

XLIV. An Act for confirming a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to the Pilotage of the River *Tyne*.

XLV. An Act to provide for the Collection by means of Stamps of Fees payable in the Superior Courts of Law at *Westminster*, and in the Offices belonging thereto.

XLVI. An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom.

XLVII. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers.

XLVIII. An Act to supply Means towards defraying the Expenses of providing Courts of Justice and the various Offices belonging thereto; and for other Purposes.

XLIX. An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a Site for the Erection and Concentration of Courts of Justice, and of the various Offices belonging to the same.

L. An Act for regulating the keeping of Dogs, and for the Protection of Sheep and other Property from Dogs, in *Ireland*.

LI. An Act to enable the Admiralty to contract for certain Works in connexion with the Extension of Her Majesty's Dockyards.

LII. An Act to amend "The Drainage and Improvement of Lands Acts (*Ireland*)," and to afford further Facilities for the Purposes thereof.

LIII. An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (*Ireland*) Act, 1863," and the Act amending the same.

LIV. An Act to alter the Days between which Pheasants may not be killed in *Ireland*.

LV. An Act to empower the University of *Oxford* to make Statutes as to the *Vinerian* Foundation in that University.

LVI. An Act to provide for the better Prevention of Trespass in *Scotland*.

LVII. An Act to amend certain Provisions in "The Ecclesiastical Leasing Act, 1858."

LVIII. An

LVIII. An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Carrickfergus*, *Hastings*, *Maldon*, *Northam*, and *Shanklin*.

LIX. An Act for confirming, with Amendments, a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage of the Port of *Sunderland*.

LX. An Act to render Owners of Dogs in *England* and *Wales* liable for Injuries to Cattle and Sheep.

LXI. An Act for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and of creating a Central Arsenal.

LXII. An Act to provide for the Exemption of Churches and Chapels in *Scotland* from Poor Rates.

LXIII. An Act to remove Doubts as to the Validity of Colonial Laws.

LXIV. An Act to remove Doubts respecting the Validity of certain Marriages contracted in Her Majesty's Possessions abroad.

LXV. An Act to explain "The Defence Act, 1860."

LXVI. An Act to allow the charging of the Excise Duty on Malt according to the Weight of the Grain used.

LXVII. An Act to amend the Acts relating to the Harbour of *Kingstown*.

LXVIII. An Act to enable the Ecclesiastical Commissioners for *England* to grant Superannuation Allowances to Persons employed in their Service.

LXIX. An Act further to amend and render more effectual the Law for providing fit Houses for the Beneficed Clergy, and for other Purposes.

LXX. An Act to alter the Distribution of the Constabulary Force in *Ireland*, and to make better Provision for the Police Force in the Borough of *Belfast*.

LXXI. An Act to amend the Acts for the Establishment of a National Gallery in *Dublin*.

LXXII. An Act to make better Provision respecting Wills of Seamen and Marines of the Royal Navy and Marines.

LXXIII. An Act for regulating the Payment of Naval and Marine Pay and Pensions.

LXXIV. An Act to enable Her Majesty's Secretary of State for the War Department to lay down and use a Tramway or temporary Railway across certain public Roads in the County of *Devon*.

LXXV. An Act for facilitating the more useful Application of Sewage in *Great Britain* and *Ireland*.

LXXVI. An

LXXVI. An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Girvan*, *Mevagissey*, and *Stornoway*.

LXXVII. An Act to amend the Act of the Twenty-seventh and Twenty-eighth *Victoria*, Chapter Sixty-four, commonly called "The Public House Closing Act, 1864."

LXXVIII. An Act to enable certain Companies to issue Mortgage Debentures founded on Securities upon or affecting Land, and to make Provision for the Registration of such Mortgage Debentures and Securities.

LXXIX. An Act to provide for the better Distribution of the Charge for the Relief of the Poor in Unions.

LXXX. An Act to explain and amend "The Lunatic Asylum Act, 1853," and "The Lunacy Act Amendment Act, 1862," with reference to Counties of Towns which have Courts of Quarter Sessions, but no Recorder.

LXXXI. An Act to render valid Marriages heretofore solemnized in the Chapel of Ease called *Saint James-the-Greater* Chapel, *Eastbury* in the Parish of *Lamborne* in the County of *Berks*.

LXXXII. An Act to amend "The Endowment and Augmentation of Small Benefices (*Ireland*) Act, 1860."

LXXXIII. An Act for further regulating the Use of Locomotives on Turnpike and other Roads for agricultural and other Purposes.

LXXXIV. An Act to amend the Prisons (*Scotland*) Administration Act, 1860, and to explain the Fifty-second and Seventy-seventh Sections of the said Act.

LXXXV. An Act to amend the Laws relating to Procurators in *Scotland*.

LXXXVI. An Act to amend the Law of Partnership.

LXXXVII. An Act to enable Her Majesty's Postmaster General to acquire a Site for the Extension of the General Post Office in *St. Martin's-le-Grand* in the City of *London*.

LXXXVIII. An Act for the recording of Titles to Land in *Ireland*.

LXXXIX. An Act to provide for the better Government of *Greenwich* Hospital, and the more beneficial Application of the Revenues thereof.

XC. An Act for the Establishment of a Fire Brigade within the Metropolis.

XCI. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts.

XCII. An Act to shorten the Time for the Election of Members to serve in Parliament for the *Ayr* District of Burghs.

XCIII. An

XCIII. An Act to consolidate the Offices of Comptroller General of the Exchequer and Chairman of the Commissioners for auditing the Public Accounts; and for other Purposes.

XCIV. An Act to amend the Carriers Act.

XCV. An Act to amend the Law relating to the Duties on Sugar, and the Drawbacks on those Duties.

XCVI. An Act to amend the Laws relating to the Inland Revenue.

XCVII. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

XCVIII. An Act to allow *British* Compounded Spirits to be warehoused upon Drawback.

XCIX. An Act to confer on the County Courts a limited Jurisdiction in Equity.

C. An Act to transfer from the Admiralty to the Board of Trade Powers and Duties relative to certain Harbours.

CI. An Act for authorizing Transferable Debentures to be charged upon Land in *Ireland*.

CII. An Act to amend an Act of the Twentieth and Twenty-first Years of Her Majesty, for the Abatement of the Nuisance arising from the Smoke of Furnaces in *Scotland*, and an Act of the Twenty-fourth Year of Her Majesty, to amend the said Act.

CIII. An Act to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol in the Borough of *Falmouth*.

CIV. An Act to amend the Procedure and Practice in Crown Suits in the Court of Exchequer at *Westminster*; and for other Purposes.

CV. An Act to continue the Poor Law Board for a limited Period.

CVI. An Act to authorize Loans in aid of the Construction of Docks in *British* Possessions.

CVII. An Act to continue certain Turnpike Acts in *Great Britain*.

CVIII. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Nottingham*, *Rusholme*, *Plymouth*, *Redcar*, *Cardiff*, *Kingston-upon-Hull*, *Guildford*, *Ramsgate*, *Ryde*, *Workington*, and *Oxford*, and for other Purposes relative to certain Districts under the said Act.

CIX. An Act for transferring the *Ulster* Canal to the Commissioners of Public Works in *Ireland*.

CX. An Act to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the *Hastings* District.

CXI. An Act to regulate the Disposal of Money and Effects under the Control of the Admiralty, belonging to deceased Officers, Seamen, and Marines of the Royal Navy and Marines, and other Persons.

CXII. An Act to repeal Enactments relating to Powers of the Commissioners of the Admiralty, and to various Matters under the Control of the Admiralty.

CXIII. An Act to authorize the Payment of Retiring Pensions to Colonial Governors.

CXIV. An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Eastbourne, Clevedon, Herne Bay, Llandrillo*, and *Pensarn*.

CXV. An Act to amend The Naval Discipline Act, 1864.

CXVI. An Act to explain the Foreign Jurisdiction Act.

CXVII. An Act to regulate the Appointment of a Vicar or Incumbent to the Vicarage of the Parish Church of *Rochdale* in the County of *Lancaster* and in the Diocese of *Manchester*.

CXVIII. An Act to continue and amend the Peace Preservation (*Ireland*) Act, 1856.

CXIX. An Act for continuing various expiring Acts.

CXX. An Act to amend the Acts relating to the Preservation and Improvement of *Harwich* Harbour.

CXXI. An Act to amend "The Salmon Fishery Act, 1861."

CXXII. An Act to amend the Law as to the Subscriptions and Declarations to be made and Oaths to be taken by the Clergy of the Established Church of *England* and *Ireland*.

CXXIII. An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year ending Thirty-first *March* One thousand eight hundred and sixty-six, and to appropriate the Supplies granted in this Session of Parliament.

CXXIV. An Act for consolidating certain Enactments relating to the Admiralty.

CXXV. An Act for the Regulation of Dockyard Ports.

CXXVI. An Act to consolidate and amend the Law relating to Prisons.

CXXVII. An Act to amend the Law relating to small Penalties.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

i. AN Act to enable the *Colne Valley and Halstead* Railway Company to increase their Capital.

ii. An Act to regulate the Mode of Valuation of the underground Pipes or Works in the City of *Glasgow* belonging to the City and Suburban Gas Company of *Glasgow*, for the Purpose of Assessment under "The *Glasgow* Police Act, 1862."

iii. An Act to enable the Metropolitan Board of Works to open a new Street in *Whitechapel*, and to remove *Middle Row, Holborn*, all in the County of *Middlesex*.

iv. An Act to reduce the Capital and Borrowing Powers of the *Mistley, Thorpe, and Walton* Railway Company; and for other Purposes.

v. An Act to confer further Powers upon the *Brighton, Hove, and Preston* Constant Service Waterworks Company.

vi. An Act to enable the *Rossendale Union* Gas Company to raise additional Capital.

vii. An Act to dissolve the Union subsisting between the Visitors of the Lunatic Asylum for the Counties of *Leicester* and *Rutland* and the Corporation of the Borough of *Leicester*, for the Admission of Lunatic Paupers from the said Borough into the said Asylum, and to empower the said Corporation to provide a separate Asylum; and to authorize the Corporation to establish a Market for the Sale of Hay and other Commodities, in lieu of the existing Market; and to extend the Powers of the said Corporation with respect to Streets in the said Borough; and for other Purposes.

viii. An Act for making an Embankment on the South Shore of the River *Shannon* near to the City of *Limerick*; and for other Purposes.

ix. An Act for authorizing the Local Board for the District of the Borough of *Oswestry* and the Liberties thereof to provide a better Supply of Water to the District, and to complete the Sewerage of the District, and to dispose of the Sewage for Irrigation; and for other Purposes.

x. An Act to repeal an Act for making, repairing, and improving certain Roads leading to and from *Helston* in the County of *Cornwall*, and to make other Provisions in lieu thereof; and for other Purposes.

xi. An

xi. An Act to enable the *Ramsbottom* Gas Company to raise additional Capital.

xii. An Act to authorize the Mayor, Aldermen, and Burgesses of the Borough of *Bolton* to construct an Aqueduct and other Works in connexion with the intended *Wayoh* Reservoir; and to make further Provisions for the Regulation of the Borough.

xiii. An Act for better supplying with Gas the Inhabitants of *Redhill* and of certain Places in the Neighbourhood thereof in the County of *Surrey*.

xiv. An Act to enable the *South Metropolitan* Gaslight and Coke Company to purchase additional Lands; to remove a Church in the Neighbourhood of their Works; and for other Purposes relating to the Company.

xv. An Act for more effectually lighting *Folkestone* and its Neighbourhood with Gas.

xvi. An Act to incorporate the *Banbury* Water Company (Limited), and to make further Provision for the Supply of Water to the Town of *Banbury* and the Neighbourhood thereof.

xvii. An Act for better supplying with Water the Town of *Luton* in the County of *Bedford*.

xviii. An Act to enable the *Athenry and Ennis Junction* Railway Company to raise additional Capital, and for other Purposes.

xix. An Act to authorize the Construction of a Railway from *Poole* to *Bournemouth*.

xx. An Act to authorize the Construction of new and widening and altering of existing Streets and other Works and Improvements in the Borough of *Liverpool*; and for other Purposes.

xxi. An Act to vest in the *Lancashire and Yorkshire* Railway Company and the *Lancashire Union* Railways Company jointly certain Portions of Railway near *Blackburn*.

xxii. An Act to authorize the widening of the *Blackpool* Branch of the *Preston and Wyre* Railway; and for other Purposes.

xxiii. An Act to incorporate a Company for making a Railway to be called the *Luddenden Valley* Railway; to authorize working and other Arrangements with the *Lancashire and Yorkshire* Railway Company; to enable that Company to subscribe Capital; and for other Purposes.

xxiv. An Act for incorporating the *Fareham* Gas and Coke Company; for the Increase and Regulation of their Capital; and for other Purposes.

xxv. An Act to extend the Limits within which the *Bath* Gaslight and Coke Company are authorized to supply Gas, and to enable the Company to construct a Railway or Tramway, to erect additional Works, to raise further Capital; and for other Purposes.

xxvi. An

xxvi. An Act for granting further Powers to the *Bristol* Waterworks Company, and for the Amendment of their existing Act.

xxvii. An Act for the Improvement and Regulation of the proposed new Town of *West Worthing* in the Parish of *Heene* in the County of *Sussex*.

xxviii. An Act to incorporate the *Exmouth* Gas, Coke, and Water Company (Limited), and to make further Provision for lighting the Town of *Exmouth* and certain neighbouring Places with Gas.

xxix. An Act to enable the *Shrewsbury and North Wales* Railway Company to raise further Sums, and to divide their Shares, and to make Deviations and Alterations in their authorized Line of Railway; and for other Purposes.

xxx. An Act to amend the Acts relating to the *East and West India* Dock Company.

xxxi. An Act to authorize the *Metropolitan and Saint John's Wood* Railway Company to extend their Railway to *Hampstead;* and for other Purposes.

xxxii. An Act to enable "The *Crystal Palace District* Gas Company" to raise additional Capital.

xxxiii. An Act to enable the Corporation of *Bristol* to improve the River *Avon* and the Docks of *Bristol*.

xxxiv. An Act for better supplying with Water the Borough of *Saint Alban* and the Parishes and Places of *Saint Albans, Saint Peter, Saint Michael, Saint Stephen*, and *Saundridge*, all in the County of *Hertford*.

xxxv. An Act for enabling the *Tyldesley with Shakerley* Local Board to supply Gas in their District, and in adjoining Places; and for other Purposes.

xxxvi. An Act to confer further Powers upon the *Chesterfield* Waterworks and Gaslight Company.

xxxvii. An Act to authorize the *Carmarthen and Cardigan* Railway Company to form into separate Capitals the Capitals authorized to be raised by the *Carmarthen and Cardigan* Railway Acts, 1862 and 1863; and to extend the Times granted by the said Acts for the Purchase of Lands and Execution of Works.

xxxviii. An Act for the Supply of the City of *Winchester* and its Neighbourhood with Water and with Gas, and for incorporating into One Company The *Winchester* Waterworks Company (Limited) and The *Winchester* Gaslight and Coke Company.

xxxix. An Act for conferring further Powers on the *Lostwithiel and Fowey* Railway Company in relation to their Capital, and for other Purposes.

xl. An Act to define the Capital of the *Midland Great Western* Railway of *Ireland* Company; to enable the Company to create Preference Shares; and for other Purposes.

xli. An Act for enabling the *Buckfastleigh, Totnes, and South Devon* Railway Company to extend their Railway to *Ashburton;* and for other Purposes.

xlii. An Act to confirm an Agreement between the *Bristol and Exeter* Railway Company and the *Devon and Somerset* Railway Company; and for other Purposes.

xliii. An Act to enable the *Great Southern and Western* Railway Company to create Debenture Stock.

xliv. An Act to enable the *Kington and Eardisley* Railway Company to divide their Shares, and for other Purposes.

xlv. An Act to grant further Powers to the *Stafford and Uttoxeter* Railway Company.

xlvi. An Act for enabling the Corporation for preserving and improving the Port of *Dublin* to lay down and maintain Tramways on the Quays and elsewhere at *Dublin;* for amending the Acts relating to the Corporation; and for other Purposes.

xlvii. An Act for better supplying with Water the Inhabitants of the Townships of *Runcorn, Weston,* and *Halton,* in the Parish of *Runcorn* in the County of *Chester.*

xlviii. An Act to empower the *Glasgow and South-western* Railway Company to contribute Funds towards and hold Shares in the Undertaking of the City of *Glasgow Union* Railway Company; and for other Purposes.

xlix. An Act for incorporating the *Rastrick* Gas Company, Limited, and extending their Powers; and for other Purposes.

l. An Act to enable the *London, Brighton, and South Coast* Railway Company to make new Railways from *Saint Leonards* to their *Ouse Valley* and *Tunbridge Wells* and *Eastbourne* Lines, and Deviations in those Lines; and for other Purposes.

li. An Act for the Construction of Railways to connect, by means of the *Thames Tunnel,* certain Railways on the *Surrey* Side of the River *Thames* with certain Railways on the *Middlesex* Side of the said River, to be called "The *East London* Railway;" and for other Purposes.

lii. An Act for incorporating and granting other Powers to "The *Birstal* Gaslight Company."

liii. An Act to enable the *Bodmin* Railway Company to extend their Railway to the *Bodmin and Wadebridge* Railway; to raise further Monies; and for other Purposes.

liv. An Act to incorporate a Company for better supplying with Gas *Littleborough* in the Parish of *Rochdale* in the County of *Lancaster,* and the Neighbourhood thereof; and for other Purposes.

lv. An Act for better lighting with Gas the District of *Brierley Hill,* and certain Parishes and Places adjacent thereto, in the Counties of *Stafford* and *Worcester.*

lvi. An

lvi. An Act to authorize the *Newport Pagnell* Railway Company to extend their Railway to *Olney* in the County of *Bucks*.

lvii. An Act to re-constitute the *Preston* Gas Company; to authorize them to raise further Monies; and for other Purposes.

lviii. An Act to amend an Act for building a new Chapel upon *Portsmouth Common* in the Parish of *Portsea* in the County of *Southampton*; and for other Purposes.

lix. An Act to amend the "*Galway* Commissioners Waterworks Act, 1863."

lx. An Act to transfer the Statute Labour Roads in the Burgh of *Dundee* to the Commissioners of Police of the said Burgh, and to provide for the Management and Maintenance of the said Roads.

lxi. An Act to incorporate a Company for making a Railway from the *Darlington* and *Barnard Castle* Branch of the *North-eastern* Railway near *Gainford* in the County of *Durham* to *Forcett* in the North Riding of the County of *York*; to authorize Working and other Arrangements with the *North-eastern* Railway Company; and for other Purposes.

lxii. An Act to authorize the *Great Eastern* Railway Company to make a Railway from their *Saint Ives and March* Railway at *Somersham* to the *Ramsey* Railway at *Ramsey* in the County of *Huntingdon*.

lxiii. An Act for consolidating and amending the Acts relating to Markets and Slaughter-houses in *Glasgow*, and for other Purposes.

lxiv. An Act to incorporate the *Gosport* Gas and Coke Company, and to make further Provision for lighting with Gas the Town of *Gosport* and certain Parishes and Places in the Neighbourhood thereof; and for other Purposes.

lxv. An Act to enable the Local Board of Health for the District of the Borough of *Llanelly* to construct Waterworks, and supply their District and adjoining Places with Water; and for other Purposes.

lxvi. An Act to enable the *London, Brighton, and South Coast* Railway Company to make short Junction Railways to connect their existing and authorized Railways in the County of *Surrey*, and to acquire additional Lands; and for other Purposes.

lxvii. An Act to restore the Exemption of Goods loaded or unloaded on the Lands or Docks of *Robert Vyner* Esquire, Part of and adjoining to the Great Float at *Birkenhead*, from the Payment of Dock Rates on Goods to the *Mersey* Docks and Harbour Board.

lxviii. An Act to enable the *Whitehaven Junction* Railway Company to enlarge their Station Accommodation at *Whitehaven*; to raise a further Sum of Money; and for other Purposes.

lxix. An Act to authorize the Commissioners of the *Glasgow* Corporation Waterworks to construct a Bridge for carrying the Aqueduct from *Loch Katrine* to *Glasgow* over the River *Endrick*; to provide for the better Distribution of Water; and for other Purposes.

lxx. An

lxx. An Act to make better Provision respecting the Repayment of Money borrowed by the Corporation of *Sunderland*, and for other Purposes.

lxxi. An Act for authorizing the Acquisition by the *London and South-western* Railway Company and the *Devon and Somerset* Railway Company of the Undertaking and Property of the *Ilfracombe* Railway Company; and for other Purposes.

lxxii. An Act to grant various additional Powers to the *North London* Railway Company.

lxxiii. An Act to enable the Corporation of "The President, Vice-Presidents, Treasurer, and Members of the School for the Indigent Blind" to sell and grant Leases of the Land belonging to them, and to purchase other Land, and for otherwise enabling them the better to carry out the Purposes of the said Corporation.

lxxiv. An Act to enable the *Glasgow and South-western* Railway Company to make new Railways between *Kilmarnock* and *Glasgow*, and for other Purposes.

lxxv. An Act for better supplying the Township of *Horsforth* in the West Riding of the County of *York* with Water; and for other Purposes.

lxxvi. An Act for incorporating and granting other Powers to "The *Drighlington and Gildersome* Gaslight Company."

lxxvii. An Act to authorize the *Liverpool* United Gaslight Company to increase their Capital, and to purchase additional Lands; and for other Purposes.

lxxviii. An Act to extend for a further Period the Powers of the *Wexford* Harbour Embankment Company for the Completion of their Undertaking; and to amend the Acts relating to the said Company; and for other Purposes.

lxxix. An Act to amend the Provisions of the Acts relating to the Company of Proprietors of the *Stourbridge* Navigation, and to confer further Powers on that Company; and for other Purposes.

lxxx. An Act for more effectually maintaining and repairing several Roads adjoining or near to the Town of *Great Torrington* in the County of *Devon*; and for new Powers; and for other Purposes.

lxxxi. An Act for authorizing an Extension of the *Corwen and Bala* Railway; for abandoning Portions of the *Corwen and Bala* and *Bala and Dolgelly* Railways; and for other Purposes.

lxxxii. An Act to enable the *Weald of Kent* Railway Company to make a Deviation of their authorized Line of Railway; and for other Purposes.

lxxxiii. An Act to vest the *Carmyllie* private Railway in the *Scottish North-eastern* Railway Company; Powers to that Company to take Tolls; raise additional Capital; and for other Purposes.

lxxxiv. An

lxxxiv. An Act to enable the *Maryport and Carlisle* Railway Company to construct "The *Derwent* Branch Railway;" to enlarge the *Bull Gill* Station; to purchase additional Lands; to raise further Monies; and for other Purposes.

lxxxv. An Act to empower the *Port Talbot* Company to raise additional Capital; and for other Purposes.

lxxxvi. An Act to enable the *Whitehaven, Cleator, and Egremont* Railway Company to make Branches and other Works, and to extend their Railway to *Bigrigg Moor* in the County of *Cumberland;* to raise further Capital; and for other Purposes.

lxxxvii. An Act for authorizing the Construction of Railways in the County of *Northumberland,* to be called "The *Hexham and Allendale* Railway;" and for other Purposes.

lxxxviii. An Act to authorize the Construction of Docks at *King's Lynn,* and for other Purposes relating to that Undertaking.

lxxxix. An Act for authorizing "The *London and South-western* Railway Company" to abandon the making of Lines of Railway at *Kensington* and *Hammersmith,* and to make other Lines of Railway instead thereof, and to make the "*Chiswick* Curve;" and for other Purposes.

xc. An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to construct new Streets, enlarge Markets, improve the Channel of the River *Medlock,* and to effect further Improvements in the said City; and for other Purposes.

xci. An Act to incorporate a Company for making a Railway from the *South Durham and Lancashire Union* Branch of the *North-eastern* Railway at *Lartington* to *Middleton in Teesdale;* Working Arrangements with the *North-eastern* Railway Company; Powers to that Company to subscribe; and for other Purposes.

xcii. An Act for enabling the *Agra* and *Masterman's* Bank (Limited) to divide the original Shares of One hundred Pounds in the Capital of the Company into Two Shares of Fifty Pounds each.

xciii. An Act to extend the Time for completing the *Aylesbury and Buckingham* Railway; to raise additional Capital; and for other Purposes.

xciv. An Act to re-incorporate "The *Gomersal* Gaslight Company, Limited;" to authorize the raising of additional Capital; and for other Purposes.

xcv. An Act for establishing a Cattle Market at *Market Drayton* in the County of *Salop.*

xcvi. An Act for granting further Powers to the *Belfast* Gaslight Company.

xcvii. An Act to transfer to the *Bristol and Exeter* Railway Company the Powers of constructing and working the *Cheddar Valley and Yatton* Railway; to extend the Time for purchasing Lands; to authorize the Purchase of additional Lands; and for other Purposes.

xcviii. An Act for a Joint Station at *Bristol* for the *Great Western, Bristol and Exeter*, and *Midland* Railway Companies; and for other Purposes.

xcix. An Act for enabling the Local Board of the Borough of *Carnarvon* to supply their District with Water.

c. An Act to enable the *London and Blackwall* Railway Company to lease their Undertaking to the *Great Eastern* Railway Company; and for other Purposes.

ci. An Act to authorize the *Hammersmith and City* Railway Company to alter some of the Works connected with their Railway, and to purchase additional Lands, and to lease or transfer their Undertaking to the *Great Western* and *Metropolitan* Railway Companies; and for other Purposes.

cii An Act for authorizing the *London and South-western* Railway Company to make new Lines of Railway in *Surrey*, and for vesting in them Portions of Railways, and for authorizing Agreements between them and other Railway Companies, and for the raising by them of further Monies; and for other Purposes.

ciii. An Act for authorizing the *London and South-western* Railway Company to make and maintain a Railway from their Main Line of Railway at *Pirbright* by *Aldershot* to *Farnham;* and for other Purposes.

civ. An Act for authorizing the *London and South-western* Railway Company to make and maintain a Railway from *Bideford* to *Great Torrington*, and for other Purposes.

cv. An Act to authorize the *Great Northern* Railway Company to construct a Railway from *Hornsey* to their *Hertford, Luton*, and *Dunstable* Line near *Hertford*.

cvi. An Act for better supplying with Water the Towns of *Kidderminster, Stourport*, and *Bewdley*, and certain Parishes and Places adjacent thereto, in the County of *Worcester*.

cvii. An Act to empower the *Ventnor* Harbour Company to raise additional Capital.

cviii. An Act for more effectually paving, lighting, and improving the Town of *Ross* in the County of *Hereford*, for maintaining and providing Markets within such Town, and for supplying the same with Water; and other Purposes.

cix. An Act for better supplying the Town of *Rhyl* and Places in the surrounding District with Water; and for other Purposes.

cx. An Act for better supplying the Town of *Gainsborough* and the Neighbourhood thereof with Water; and for other Purposes.

cxi. An Act to enable the *North-eastern* Railway Company to construct Branch Railways and other Works in the Counties of *Durham* and *York;* to acquire additional Lands; and for other Purposes.

cxii. An

cxii. An Act for supplying with Water the Burgh of *Ayr* and Places adjacent.

cxiii. An Act to extend the Time for the Purchase of Lands for and Completion of the *Sligo* Extension of the *Enniskillen, Bundoran, and Sligo* Railway Company; and to enable the Company to raise further Money.

cxiv. An Act to enable the *Dublin and Antrim Junction* Railway Company to create Preference Shares in lieu of unissued, surrendered, and forfeited Shares; and for other Purposes.

cxv. An Act to authorize the Enlargement and Maintenance of existing Waterworks in the Township of *Glossop* in the Parish of *Glossop* in the County of *Derby*, and the Construction of new Waterworks, and to authorize the Sale of such Waterworks, and the Purchase thereof; and for other Purposes.

cxvi. An Act to authorize the Construction by the *London and Blackwall* Railway Company of Railways in the Parishes of *Stepney, Poplar*, and *Limehouse*, to be called "The *London, Blackwall, and Millwall Extension* Railway;" to authorize Agreements with other Companies with reference thereto; and for other Purposes.

cxvii. An Act to confer further Powers upon the *Metropolitan* Railway Company with reference to certain Works and Lands, and to authorize the Lease or Transfer of the Undertaking of the *Hammersmith and City* Railway Company, and Arrangements with other Parties; and for other Purposes.

cxviii. An Act to authorize the *Great Eastern* Railway Company to make certain Railways in connexion with their Railways near the Metropolis, and to purchase Station Lands; and for other Purposes.

cxix. An Act to authorize the *Hastings and St. Leonards* Gas Company to raise a further Sum of Money; and for other Purposes.

cxx. An Act to repeal and consolidate the Acts relating to the *Exeter* Gaslight and Coke Company and the *Exeter Commercial* Gaslight and Coke Company; and to confer further Powers on the *Exeter* Gaslight and Coke Company; and for other Purposes.

cxxi. An Act for reclaiming from the Sea certain Lands on and near the Eastern and South-eastern Coast of *Essex*; for making Conduits from the *North London* Main discharging Sewers to the Coast of *Essex*; for utilizing the Sewage of *North London*; and for other Purposes.

cxxii. An Act for making a Railway to connect *Brean Down* Harbour with existing Railways in the County of *Somerset*; and for other Purposes.

cxxiii. An Act to vary, extend, and consolidate the Powers of the *Northern* Assurance Company; and for other Purposes relating thereto.

cxxiv. An Act for the further Improvement of the Drainage and Navigation by the River *Witham* in the County of *Lincoln*, and for amending the Acts relating thereto; and for other Purposes.

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cxxv. An Act to authorize the *North British* Railway Company to make several Railways in the Parishes of *Liberton*, *Lasswade*, and elsewhere, in the County of *Edinburgh;* and to have Running Powers over the *Esk Valley* Railway; and for other Purposes.

cxxvi. An Act to authorize the Mayor, Aldermen, and Burgesses of the City and Borough of *Ripon* to purchase the Gasworks of the *Ripon* Gaslight Company, and to supply Gas within the said City and Borough and the Neighbourhood thereof, in the West and North Ridings of the County of *York;* and to preclude Questions as to the Style of the City and Borough, and the Name of the Corporation; and for other Purposes.

cxxvii. An Act to empower the *West Sussex Junction* Railway Company to make a Deviation from the authorized Line of their Railway; and for other Purposes.

cxxviii. An Act to repeal, and re-enact with Amendments, the Provisions of the Act relating to the *Leamington Priors* Gaslight and Coke Company; to extend the Limits of Supply thereby authorized; to authorize an Increase of Capital; and for other Purposes.

cxxix. An Act for the Incorporation and better Regulation of the Affairs of the *Assam* Company.

cxxx. An Act to extend the *Kilrush and Kilkee* Railway, and to grant further Time for Completion of the Works.

cxxxi. An Act to repeal the Acts relating to the *Plymouth and Dartmoor* Railway Company; to authorize the raising of additional Capital, and Arrangements with the *South Devon* Railway Company; and for other Purposes.

cxxxii. An Act for making a Railway from the *Bristol and Exeter* Railway at *Tiverton* to the *Devon and Somerset* Railway in the Parish of *Morebath* in the County of *Devon*, and for granting certain Powers to the *Bristol and Exeter* Railway Company with reference thereto.

cxxxiii. An Act to authorize the Amalgamation of the *Dunblane, Doune, and Callander* Railway Company with the *Scottish Central* Railway Company; and for other Purposes.

cxxxiv. An Act to authorize the Amalgamation of the *Crieff Junction* Railway Company with the *Scottish Central* Railway Company; and for other Purposes.

cxxxv. An Act for enabling the *Caledonian* Railway Company to make a Railway from *Barrhead* to *Paisley*, and to improve the Railway between *Barrhead* and *Crofthead*, all in the County of *Renfrew;* and for other Purposes.

cxxxvi. An Act for enabling the *Caledonian* Railway Company to make a Branch Railway for connecting their Main Line near *Dalmakeddar* with the *Dumfries, Lochmaben, and Lockerby Junction* Railway near *Shielhill* in the County of *Dumfries;* and for other Purposes.

cxxxvii. An

cxxxvii. An Act to repeal, consolidate and amend the Provisions of the Acts of Parliament relating to the Company of Merchants of the City of *Edinburgh;* and to enlarge the Powers of the said Company; to amend the Act relating to *Daniel Stewart's* Hospital; and for other Purposes.

cxxxviii. An Act to extend the Limits for the Supply of Water, and to authorize the building of a Town Hall, by the Local Board of Health for the District of *Merthyr Tydfil;* and for other Purposes.

cxxxix. An Act for making a Railway from the *Caledonian* Railway at *Crofthead* to *Kilmarnock*, with a Branch to *Beith*, in the Counties of *Renfrew* and *Ayr;* and for other Purposes.

cxl. An Act for the Extension of the Boundaries of the Municipal Borough and District of *Halifax*, and otherwise improving the said Borough; to amend and extend the several Powers of the Acts relating thereto; and for other Purposes.

cxli. An Act to extend the Limits of Supply of the *Neath* Water Company, and to authorize them to construct additional Works; and for other Purposes.

cxlii. An Act to enable the *Southampton* Gaslight and Coke Company to extend their Limits for the Supply of Gas, and to raise additional Capital; and for other Purposes.

cxliii. An Act to enable the *Whitehaven and Furness Junction* Railway Company to make Branches and other Works, and to extend their Railway from *Millom* in the County of *Cumberland* to join the *Furness* Railway in the Parish of *Dalton* in the County of *Lancaster;* to raise further Capital; and for other Purposes.

cxliv. An Act to extend the Term and amend the Provisions of the Act relating to the *Cromford and Belper* Turnpike Road.

cxlv. An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to construct new Works in connexion with their Waterworks; and for other Purposes.

cxlvi. An Act to authorize the Construction of a Pier in *Morecambe Bay*.

cxlvii An Act for extending the Powers of "The *Rickmansworth, Amersham, and Chesham* Railway Company."

cxlviii. An Act for the Incorporation of the *Ham* Oyster Fishery Company, and for authorizing them to establish and maintain an Oyster Fishery near the North-east Coast of the *Isle of Sheppey* in the County of *Kent;* and for other Purposes.

cxlix. An Act for authorizing the *Okehampton* Railway Company to make and maintain Extensions of their Railway to *Bude* in the County of *Cornwall* and to *Great Torrington* in the County of *Devon* respectively, and to raise further Monies; and for other Purposes.

cl. An Act to authorize the vesting in the *Great Eastern* Railway Company of the *Bishop Stortford, Dunmow, and Braintree* Railway.

cli. An Act to confer further Powers upon "The *Metropolitan District* Railway Company."

clii. An Act to give Effect to an Agreement between the Lord Provost, Magistrates, and Council of the City of *Edinburgh* and the *North British* Railway Company with reference to the Fruit and Vegetable Market; and for the Enlargement of the *North British* Station at *Edinburgh;* and for other Purposes.

cliii. An Act to incorporate a Company for making "The *Fareham and Netley* Railway;" and for other Purposes.

cliv. An Act for authorizing the *Teign Valley* Railway Company to raise further Monies; and for other Purposes.

clv. An Act for defining and consolidating the Undertaking and Mortgage Debt of "The *Bristol Port* Railway and Pier Company;" and for other Purposes.

clvi. An Act to authorize the *Cork and Limerick Direct* Railway Company to issue Preference Shares in lieu of cancelled Shares, and to create Debenture Stock; and for other Purposes.

clvii. An Act for authorizing the *Isle of Wight* Railway Company to provide and work Steam Vessels, and to provide Accommodation for Traffic thereby, and to raise further Monies; and for other Purposes.

clviii. An Act to authorize the *Llanelly* Railway and Dock Company to raise more Money.

clix. An Act to enable the *Mid-Wales* Railway Company to make a Railway to join the *Central Wales* Railway; and for other Purposes.

clx. An Act to amend the Provisions of the *West Bromwich* Improvement Act, 1854, and the *West Bromwich* Improvement Amendment Act, 1855.

clxi. An Act for enabling the *Caledonian* Railway Company to make a Branch Railway to *Balerno* in the County of *Edinburgh;* and for other Purposes.

clxii. An Act for the better Management of the *Marsh* Estate of the Mayor, Aldermen, and Burgesses of the Borough of *Southampton;* and for authorizing them to establish and maintain new Markets, and to raise further Monies; and for other Purposes.

clxiii. An Act to repeal an Act passed in the Fourth Year of the Reign of Her present Majesty Queen *Victoria*, intituled "An Act for repairing "several Roads leading from the Town of *Barnstaple* in the County "of *Devon*, and for making several new Lines of Road connected "therewith," and to grant more effectual Powers in lieu thereof; to convert into Turnpike Road Portions of existing Roads; and for other Purposes.

clxiv. An Act to authorize the opening of certain new Streets in the Borough of *Belfast*, and to confer certain Powers upon a Company and the Mayor, Aldermen, and Burgesses of the Borough of *Belfast* for such Purposes.

clxv. An

clxv. An Act for empowering the *Cheltenham* Waterworks Company to extend their Works and Limits of Supply, and to raise a further Sum of Money; and for other Purposes.

clxvi. An Act for granting certain Powers to the *Crays* Gaslight and Coke Company, Limited.

clxvii. An Act to authorize the Amalgamation of the *General Terminus and Glasgow Harbour* Railway Company with the *Caledonian* Railway Company; and for other Purposes.

clxviii. An Act to authorize the Consolidation into One Undertaking of the *Inverness and Perth Junction* and the *Inverness and Aberdeen Junction* Railways, and the Union into One Company of the Two Companies to which the said Railways respectively belong; to consolidate and amend the Acts relating to the same Companies; and for other Purposes.

clxix. An Act for making a Railway from *Bonar Bridge* Railway Station at *Ardgay* in the County of *Ross* to *Brora* in the County of *Sutherland*, to be called "The *Sutherland* Railway;" and for other Purposes.

clxx. An Act to authorize the *Carmarthen and Cardigan* Railway Company to extend their Railway near *Kidwelly* in *Carmarthenshire*.

clxxi. An Act to continue the *Winchcomb* District of Turnpike Roads Trust in the County of *Gloucester*; and for other Purposes.

clxxii. An Act to enable the *Mold and Denbigh Junction* Railway Company to raise further Sums, and to divide their Shares, and to make Deviations and Alterations in their authorized Line of Railway; and for other Purposes.

clxxiii. An Act to authorize the *Bishop's Castle* Railway Company to extend their Railway to the *Minsterley* Branch of the *Shrewsbury and Welshpool* Railway in *Shropshire*; and for other Purposes.

clxxiv. An Act for transferring the *New North Road* or *Parliamentary Road, Glasgow*, to the Board of Police of *Glasgow*; and for other Purposes.

clxxv. An Act for extending the Time for the Purchase of Lands and the Completion of the Railway authorized by "The *Carnarvonshire* Railway Act, 1862."

clxxvi. An Act for the Extension of the *Wrexham, Mold, and Connah's Quay* Railway to *Farndon*; and for other Purposes.

clxxvii. An Act to authorize the *Stonehouse and Nailsworth* Railway Company to extend their Railway from *Dudbridge* to the *Great Western* Railway at *Stroud*; and for other Purposes relating to the same Company.

clxxviii. An Act for authorizing the making by the *Tottenham and Hampstead Junction* Railway Company of Lines of Railway by way of Substitution for Lines of Railway already authorized to be made by them; and for authorizing Arrangements between them and the *Great Eastern* Railway Company and the *Midland* Railway Company; and for other Purposes.

clxxix. An

clxxix. An Act to enable the *Furness* Railway Company to construct new Lines of Railway, and to raise further Monies; and for other Purposes.

clxxx. An Act for maintaining, improving, and managing the public Roads and Bridges in the County of *Dumfries*.

clxxxi. An Act to authorize the Construction of a Railway from *Wolverhampton* to *Walsall*, all in the County of *Stafford*.

clxxxii. An Act to authorize the *Great Northern* Railway Company to construct a Railway in *Lincolnshire* from *Sleaford* to *Bourn*.

clxxxiii. An Act for separating for certain Purposes the Borough of *Belfast* from the County of *Antrim;* and for making better Provision respecting Contribution by the Borough towards the Expenses of the County; and for amending the Provisions of certain of the Acts relating to the Borough; and for other Purposes.

clxxxiv. An Act to authorize the *Great Eastern* Railway Company to raise a further Sum of Money, and to consolidate certain of their Preference Stocks, and to confer Powers upon the said Company with reference to *Lowestoft* Harbour; and for other Purposes.

clxxxv. An Act for making a Railway from *Presteign* in the County of *Radnor* to join the *Central Wales* Railway in the Parish of *Llangunllo*, to be called "The *Lugg Valley* Railway;" and for other Purposes.

clxxxvi. An Act to enable the *Solway Junction* Railway Company to make certain Deviations in their authorized Line; and for other Purposes.

clxxxvii. An Act to amend and enlarge the Powers and Provisions of "The *Westminster* Improvement and Incumbered Estate Act, 1861;" for winding up the Affairs of the Commission; for the compulsory Purchase of Lands and the Completion of the Improvements; Borrowing Power; and for other Purposes.

clxxxviii. An Act for amending and extending the "*Burnham* Tidal Harbour Act, 1860," and for enlarging the Powers of the *Burnham* Tidal Harbour Company; and for other Purposes.

clxxxix. An Act for better supplying with Water the Town and Borough of *Belfast* and other Places, and for altering and amending the Constitution of the Corporation of the *Belfast* Water Commissioners; and for other Purposes.

cxc. An Act to enable the *Denbigh, Ruthin, and Corwen* Railway Company to raise additional Capital; and for other Purposes.

cxci. An Act to authorize the *Edgware, Highgate, and London* Railway Company to construct a short Line of Railway to connect their Railway with the *Tottenham and Hampstead Junction* Railway; and for other Purposes.

cxcii. An Act for making Railways from the *Hammersmith and City* Railway through *Fulham* to the North Shore of the River *Thames;* and for other Purposes.

cxciii. An

cxciii. An Act to empower the *Lancashire Union* Railways Company to construct an Extension Line to *Saint Helens* and other Branches in the County of *Lancaster;* and for other Purposes.

cxciv. An Act to authorize the *Lynn and Sutton Bridge* Railway Company to execute certain Works at *Sutton Bridge,* and granting other Powers to the same Company.

cxcv. An Act for the Improvement of the Town of *Southport* and the Neighbourhood thereof; and for other Purposes.

cxcvi. An Act authorizing the Sale or Transfer of *Southwark Bridge.*

cxcvii. An Act to authorize the *Sunningdale and Cambridge Town* Railway Company to make new Railways, and to use Part of the Railway of the *South-eastern* Railway Company; and for other Purposes.

cxcviii. An Act to authorize the Transfer to the *Belfast, Holywood, and Bangor* Railway Company of the *Holywood* Branch of the *Belfast and County Down* Railway; and for other Purposes relating to such Transfer.

cxcix. An Act to extend the Time for the compulsory Purchase of Lands for Part of the Undertaking of the *Sevenoaks, Maidstone, and Tunbridge* Railway Company.

cc. An Act to authorize the *Edinburgh and Glasgow* Railway Company to form a Station on the College Lands at *Glasgow,* and to subscribe to and hold Shares in the *City of Glasgow Union* Railway Company; and for other Purposes.

cci. An Act to authorize the *Monkland* Railways Company to make Branch Railways in the County of *Lanark;* and for other Purposes.

ccii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway for connecting their Railway with the *North British* Railway near *Edinburgh;* and for other Purposes.

cciii. An Act to authorize the Construction of a Railway, to be called "The *Skipton and Wharfdale* Railway."

cciv. An Act for a better Water Supply to *Tunbridge Wells* and Places near thereto; and for other Purposes.

ccv. An Act for the Amalgamation of the *Ogmore Valley* Railways Company and the *Ely Valley Extension* Railway Company; and for other Purposes.

ccvi. An Act to authorize the Construction of Railways from the *Port Carlisle* Railway to the River *Caldew,* and thence to the Goods Lines on the Southern Side of the *Carlisle Citadel* Station; and for other Purposes.

ccvii. An Act for repairing the Road from the Guide Post below *Haddon,* out of the *Bakewell* Turnpike Road into the *Bentley and Ashbourne* Turnpike Road, in the County of *Derby;* and for other Purposes.

ccviii. An Act for amending the Metropolitan Market Act, 1857; and for other Purposes.

ccix. An Act for the *Mansfield and Worksop* Turnpike Road in the Counties of *Nottingham* and *Derby*.

ccx. An Act to give Effect to an Arrangement concerning the Contribution payable under certain Enactments by certain Baronies in *Roscommon* and *Galway* and the County of the Town of *Galway* to the *Midland Great Western Railway of Ireland* Company.

ccxi. An Act for conferring further Powers on the *Swansea and Aberystwith Junction* Railway Company.

ccxii. An Act for maintaining the Public Roads and Bridges in the County of *Wigtown*.

ccxiii. An Act to authorize the Construction of a Railway across the *Firth of Forth* in connexion with the *Edinburgh and Glasgow* and *North British* Railways, and in completion of the improved Railway Route between *Edinburgh* and *Perth* across the Firth; also other Railways and Works; and for other Purposes.

ccxiv. An Act for the further improving of the Town of *Blackpool* and the rest of the Township of *Layton with Warbrick* in the County Palatine of *Lancaster*, and for other Purposes, and of which the Short Title is "*Blackpool* Improvement Act, 1865."

ccxv. An Act for continuing the Term of the Turnpike Roads from *Brimington* and *Chesterfield* in the County of *Derby* to the *High Moors* in the Parish of *Brampton* in the said County; and for other Purposes.

ccxvi. An Act to authorize the *Great Northern* Railway Company to construct certain short Lines of Railway at *Newark*, *Spalding*, *Essendine*, and *Barkstone*; and for other Purposes.

ccxvii. An Act to amalgamate the *Monkland* Railways Company with the *Edinburgh and Glasgow* Railway Company.

ccxviii. An Act to authorize the *Kidwelly and Llanelly* Canal and Tramroad Company to stop up and discontinue the Use of their Canals, and to make a Railway from *Burry Port* in the Parish of *Pembrey* to join the Mountain Branch of the *Llanelly* Railway in the Parish of *Llanarthney*, *Carmarthenshire*, with Branches; to change the Name of the Company; and for other Purposes.

ccxix. An Act to authorize the *West Cornwall* Railway Company to enter into Working Arrangements with other Companies, and to lease or sell their Railway; and for other Purposes.

ccxx. An Act to empower the *Belfast Central* Railway Company to make a Line of Railway and a Tramway, and to empower the *Belfast* Harbour Commissioners to make a Tramway; and for other Purposes.

ccxxi. An Act to empower the *Dublin Trunk Connecting* Railway Company to make Junction and Deviation Railways; and for other Purposes.

ccxxii. An Act to authorize the Construction by the *Dublin, Wicklow, and Wexford* Railway Company of a Railway connecting their Railway with the *Dublin and Kingstown* Railway; and for other Purposes.

ccxxiii. An

ccxxiii. An Act for making a Railway from *Dingwall* to *Kyle of Lochalsh*, to be called "The *Dingwall and Skye* Railway;" and for other Purposes.

ccxxiv. An Act for authorizing the *Isle of Wight* Railway Company to make additional Railways, and to raise further Monies; and for other Purposes.

ccxxv. An Act to enable the *Saint Clement Danes* Improvement Company to make certain Improvements in the Parish of *Saint Clement Danes* in the County of *Middlesex;* and for other Purposes.

ccxxvi. An Act to authorize the *Stourbridge* Railway Company to construct a Branch Railway to *Stourbridge*, and to raise additional Sums of Money for their original Railway and Extension Railway; and for other Purposes.

ccxxvii. An Act for the better Regulation of the *Rochester* Oyster Fishery; and for other Purposes.

ccxxviii. An Act for incorporating the *Lymington* River Company, and authorizing them to make Improvements of the lower Part of the *Lymington* River in connexion with the *Lymington* Docks, and to reclaim Mud Land opposite to the Docks; and for other Purposes.

ccxxix. An Act for enabling the *Busby* Railway Company to extend their Railway to the Village of *East Kilbride* in the County of *Lanark;* and for other Purposes.

ccxxx. An Act for the Incorporation of the *Burnley* Market Company; and for other Purposes.

ccxxxi. An Act to revive and extend the Powers of the River *Fergus* Navigation and Embankment Company; and for authorizing the Company to embank and reclaim from the Sea other Waste Lands on the Sides of the River *Fergus* in the County of *Clare;* and for other Purposes.

ccxxxii. An Act to enable the *West Cork* Railway Company to raise additional Capital; to maintain certain Portions of their Railway constructed beyond the authorized Limits; to extend the Time limited for Completion of Works; and for other Purposes.

ccxxxiii. An Act to incorporate a Company for making Railways in the County of *Worcester*, to be called the *Halesowen and Bromsgrove* Branch Railways; and for other Purposes.

ccxxxiv. An Act to incorporate a Company for making and maintaining a Railway from the *Peterston* Station of the *South Wales* Railway to *Cadoxton-juxta-Barry*, with a Branch to *Sully*, all in the County of *Glamorgan;* and for other Purposes.

ccxxxv. An Act for supplying with Water the Town and Neighbourhood of *Newtown* in the County of *Montgomery*.

ccxxxvi. An Act for the Extension of the *Hoylake* Railway to *New Brighton;* and for other Purposes.

ccxxxvii. An

ccxxxvii. An Act to enable the *Sidmouth* Railway and Harbour Company to make and maintain a Branch from their authorized Railway in the Parish of *Sidmouth;* and for other Purposes.

ccxxxviii. An Act for making a Railway, to be called "The *Spilsby and Firsby* Railway;" and for other Purposes.

ccxxxix. An Act to enable the *Swansea Vale and Neath and Brecon Junction* Railway Company to construct a Branch to *Abercrave;* and for other Purposes.

ccxl. An Act for more effectually maintaining and keeping in repair the Roads, Highways, and Bridges in the County of *Aberdeen;* for making new Roads in the said County; and for other Purposes.

ccxli. An Act to authorize the *Bishop's Castle* Railway Company to make Communications between their Railway and certain neighbouring Railways; and for other Purposes relating to their Undertaking.

ccxlii. An Act to abolish certain Restrictions as to the Use of the Connexion Railways of Messieurs *Samuel Allsopp* and Sons at *Burton-upon-Trent,* and to authorize them to construct additional Railways.

ccxliii. An Act to authorize the Construction of a Railway in the Town of *Burton-upon-Trent;* and for other Purposes.

ccxliv. An Act for incorporating a Company, and for making and maintaining the *Hawes and Melmerby* Railway; and for other Purposes.

ccxlv. An Act to enable the *Glasgow and South-western* Railway Company to construct new Railways in connexion with their Railways and the *Kirkcudbright* and *Bridge of Weir* Railways; and for other Purposes.

ccxlvi. An Act to enable the *Glasgow and South-western* Railway Company to make and maintain certain Railways in the County of *Ayr;* and for other Purposes.

ccxlvii. An Act to enable the *City of Glasgow Union* Railway Company to make Deviations of their authorized Railway; to construct a Railway to the Harbour of *Glasgow;* and for other Purposes.

ccxlviii. An Act for amalgamating the Undertaking of the *Marple New Mills and Hayfield Junction* Railway Company with that of the *Manchester, Sheffield, and Lincolnshire* Railway Company; and for authorizing the last-mentioned Company to subscribe to the Undertaking of the *Liverpool Central Station* Railway Company; and for other Purposes.

ccxlix. An Act for authorizing the Construction of a Railway from the *Great Eastern* Railway at *Mellis* to *Eye* in the County of *Suffolk;* and for other Purposes.

ccl. An Act for the Improvement and better Government of the Borough of *Newcastle-upon-Tyne;* and for other Purposes.

ccli. An Act to enable the *North-eastern* Railway Company to construct a Railway and Works in *Leeds* in the County of *York;* to raise additional Capital; and for other Purposes.

cclii. An

cclii. An Act to incorporate the Committee for managing the General Station at *Perth*, and to vest in such Committee the whole of that Station and other Works to be made Part thereof; to alter the Division and Appropriation thereof; to authorize the Enlargement and Improvement of that Station and the Construction of new Works; to enable the Committee to recover the Expense of Enlargement from the Companies interested in such Station, and to confer Powers and impose Liabilities on those Companies; and for other Purposes.

ccliii. An Act to authorize the Joint Committee for managing the General Railway Station at *Perth* to lease or feu Part of the Ground within the Station Limits for an Hotel, or to erect an Hotel thereon; to enable the Companies interested in the said Station, or the Majority of them, to contribute to the Hotel; and for other Purposes.

cclv. An Act for regulating the Police, Lighting, Draining, and Improvement of the Burgh of *Port-Glasgow*; for supplying with Water the said Burgh and Places adjacent; and for other Purposes.

cclv. An Act to empower the *South Devon* Railway Company to make a Branch Railway at *Exeter*, and to confer upon them further Powers in relation to their own Undertaking and the Undertakings of other Companies; and for other Purposes.

cclvi. An Act for incorporating the *South Northumberland* Railway Company, and authorizing them to make and maintain the *South Northumberland* Railway; and for other Purposes.

cclvii. An Act to enable the *Torquay* Gas Company to increase their Capital and extend their Works; and for other Purposes.

cclviii. An Act for making a Railway from near the *Waterloo* Station of the *London and South-western* Railway to *Whitehall*; and for other Purposes.

cclix. An Act to enable the *West Riding and Grimsby* Railway Company to raise further Sums of Money; to extend the Time limited in respect of One of their authorized Branches; and for other Purposes.

cclx. An Act to enable the *Wrexham and Minera* Railway Company to make and maintain new Lines of Railway; and for other Purposes.

cclxi. An Act to enable the *Wrexham, Mold, and Connah's Quay* Railway Company to extend their Railway to *Connah's Quay*; and for other Purposes.

cclxii. An Act to stop up Part of an existing Road called *Gloucester Road*, formerly called *Hogmore Lane*, in the Parish of *Saint Mary Abbotts, Kensington*, in the County of *Middlesex*, and to vest the Site thereof in the Owners of adjoining Lands, and to make a new Road of greater Width in lieu thereof; and for other Purposes.

cclxiii. An Act for incorporating the *Bude Canal and Launceston Junction* Railway Company, and authorizing them to make and maintain the *Bude Canal and Launceston Junction* Railway; and for other Purposes.

cclxiv. An Act to authorize the Construction of Railways from the *Waterford and Limerick* Railway at *Clonmel* to *Lismore* and *Dungarvan;* and for other Purposes.

cclxv. An Act to enable the *Dublin, Rathmines, Rathgar, Roundtown, Rathfarnham, and Rathcoole* Railway Company to extend their Railway to *Blesinton* and in *Dublin;* and for other Purposes with relation to the same Railway.

cclxvi. An Act for making a Railway from the Town of *Oban* in the County of *Argyle* to the *Dunblane, Doune, and Callander* Railway near *Callander* in the County of *Perth,* with a Tramway to the Harbour of *Oban;* and for other Purposes.

cclxvii. An Act for making a new Railway Station at *Leeds* in the County of *York;* and for other Purposes.

cclxviii. An Act to provide for a Contribution by the *London and South-western* Railway Company to the Undertaking of the *London, Chatham, and Dover* Railway Company, and for the User by them of Part of that Undertaking; and for other Purposes.

cclxix. An Act to authorize the *London, Chatham, and Dover* Railway Company to make connecting Railways, and to widen Parts of their existing Railways in *Surrey,* and to acquire additional Lands; to provide for the Abandonment of a Railway authorized by the "*Crystal Palace and South London Junction* Railway Act, 1862;" and for other Purposes.

cclxx. An Act for making a Railway from *Stratford-on-Avon* to *Worcester;* and for other Purposes.

cclxxi. An Act to enable the *Mold and Denbigh Junction* Railway Company to make certain new Lines of Railway, and to abandon a Portion of their authorized Railway; and for other Purposes.

cclxxii. An Act for making a Railway from *Scarborough* to *Whitby.*

cclxxiii. An Act for the Dissolution of the *Tooting, Merton, and Wimbledon* Railway Company, and for vesting their Undertaking, Railway, and Property in the *London and South-western* Railway Company and the *London, Brighton, and South Coast* Railway Company; and for authorizing the making and maintaining of a Junction Line of Railway at *Wimbledon* between the *London and South-western* Railway and the *Tooting, Merton, and Wimbledon* Railway; and for other Purposes.

cclxxiv. An Act to enlarge the Powers of the *Tyne* Improvement Commissioners, and to facilitate the Construction of the *Tynemouth* Docks; and for other Purposes.

cclxxv. An Act for enabling the *West Yorkshire* Railway Company to raise further Money; and for other Purposes.

cclxxvi. An Act for making a Railway from the *West Midland* Railway to the *Coleford, Monmouth, Usk, and Pontypool* Railway; and for other Purposes.

cclxxvii. An

cclxxvii. An Act to authorize the Abandonment of the *Wem* Branch of the *Cambrian* Railways Company, and a Transfer of the Company's Agreement to work the *Aberystwith and Welsh Coast* Railway to *Thomas Savin*, and a Lease of the Company's Undertaking to the said *Thomas Savin*.

cclxxviii. An Act to make further Provision for the Prevention of Accidents from Gunpowder in the River *Mersey* and in the Borough of *Liverpool;* and for other Purposes.

cclxxix. An Act for making a Railway from the *Deeside* Railway Extension at *Charleston of Aboyne* to the *Bridge of Gairn*, to be called "The *Aboyne and Braemar* Railway."

cclxxx. An Act for authorizing the Sale by the Assignees in Bankruptcy of the Estate and Effects of the *Bagenalstown and Wexford* Railway Company of their Line of Railway and all other their Property, together with the Rights, Powers, Authorities, and Privileges of the said Company, and for the Dissolution of the said Company.

cclxxxi. An Act for authorizing the *Monmouthshire* Railway and Canal Company to execute additional Works; to acquire the *Brecon and Abergavenny* Canal; to raise additional Capital; and for other Purposes relating to the same Company.

cclxxxii. An Act for authorizing the *Sidmouth and Budleigh Salterton* Railway Company to make and maintain a Deviation of their authorized Line in the County of *Devon;* and for other Purposes.

cclxxxiii. An Act to enable the *Aberystwith and Welsh Coast* Railway Company to deviate from some of its authorized Lines; to make certain Extensions at *Portmadoc* Harbour, *Aberdovey*, and *Cerig-y-Penrhyn;* and for other Purposes.

cclxxxiv. An Act to empower the *Brecon and Llandovery Junction* Railway Company to make a Deviation of Part of their authorized Railway; and for other Purposes.

cclxxxv. An Act for the Consolidation of the Capitals and Undertakings of the *Brecon and Merthyr Tydfil Junction* Railway Company; to enable them to raise more Money, and to construct new Lines to *Ivor* and *Dowlais*, and a Diversion of the *Cyfarthfa* Deviation; to extend the Time for the Completion of Parts of their Railways; and for other Purposes.

cclxxxvi. An Act for granting certain Powers to the *Bromley* Gas Consumers Company, Limited.

cclxxxvii. An Act for the Amalgamation of the *Scottish Central* Railway Company with the *Caledonian* Railway Company; and for other Purposes.

cclxxxviii. An Act to enable the *Caledonian* Railway Company to make and maintain certain Branch Railways, to supersede certain level Crossings, and to improve certain of their Stations and acquire additional Lands, in the Counties of *Renfrew, Lanark, Edinburgh, Dumbarton*, and *Cumberland;* and for other Purposes.

cclxxxix. An

cclxxxix. An Act for enabling the *Caledonian* Railway Company to make a Railway from their Line near *Cleland* in the County of *Lanark* to their Line near *Mid-Calder* in the County of *Edinburgh*, with Branches to the Mineral Fields and Works in that District; and for other Purposes.

ccxc. An Act for enabling the *Caledonian* Railway Company to extend their *Douglas* Branch to *Muirkirk* in the Counties of *Lanark* and *Ayr*; and for other Purposes.

ccxci. An Act to authorize the vesting of the *Aberystwith and Welsh Coast* Railway in the *Cambrian* Railways Company by Amalgamation.

ccxcii. An Act for making and maintaining the *Chester and West Cheshire Junction* Railway; and for other Purposes.

ccxciii. An Act for making a Railway from *Coventry* to the *Southam* Railway; and for other Purposes.

ccxciv. An Act for making a Railway from the Town of *Crieff* to *Comrie*, with a Railway connecting said Railway with the authorized *Crieff and Methven Junction* Railway; and for other Purposes.

ccxcv. An Act to incorporate a Company for maintaining an existing Railway from *Carreg Hylldrem* in the County of *Merioneth* to *Portmadoc* in the County of *Carnarvon*, and making an Extension thereof.

ccxcvi. An Act to authorize the Construction of Railways to connect *Deal* and *Walmer* and *Dover* in the County of *Kent*; and for other Purposes.

ccxcvii. An Act to authorize the Amalgamation of the *Dumfries, Lochmaben, and Lockerby Junction* Railway Company with the *Caledonian* Railway Company; and for other Purposes.

ccxcviii. An Act for the Amalgamation of divers Railway Companies with the *Glasgow and South-western* Railway Company; and for other Purposes.

ccxcix. An Act for conferring further Powers on the *Great Western* Railway Company for the Construction of Works and the Acquisition of Lands, and otherwise in relation to their own Undertaking and the Undertakings of other Companies and Persons; and for other Purposes.

ccc. An Act to consolidate and amend the Provisions relating to the Police of the Town of *Greenock*; to authorize certain Improvements in the said Town; and for various other Purposes.

ccci. An Act for making Railways from *Greenock* to the *Glasgow and South-western* and *Bridge of Weir* Railways; and for other Purposes.

cccii. An Act to amend the *Highbridge* Markets and Gas Act; and for other Purposes.

cccciii. An

cccciii. An Act for making a Railway from the *Westerfield* Station near *Ipswich* of the *Great Eastern* Railway to *Felixstow* in the County of *Suffolk;* and for other Purposes.

cccciv. An Act for authorizing the *London and South-western* Railway Company to make new Works; and for the Amalgamation with their Undertaking of the Undertakings of divers Railway Companies; and for authorizing Arrangements respecting divers Railways; and for regulating and increasing the Capital and Borrowing Powers of the *London and South-western* Railway Company; and for other Purposes.

cccv. An Act to authorize the *Manchester and Milford* Railway Company to make certain new Railways in substitution for Part of their authorized Railway and *Aberystwith* Branch; and to extend the Time for the Purchase of Lands and Completion of Part of their authorized Line; and to give various other Powers to the said Company and to other Railway Companies; and for other Purposes.

cccvi. An Act for making a Railway from the *Cemmes Road* Station on the *Cambrian* Railway to near the Town of *Dinas Mowddwy;* and for other Purposes.

cccvii. An Act to enable the *Newry and Greenore* Railway Company to make certain Deviations in their authorized Line, and to construct certain new Works; and for other Purposes.

cccviii. An Act to provide for a complete Union of the Undertakings of the *North British* and *Edinburgh and Glasgow* Railway Companies by Amalgamation; and for other Purposes.

cccix. An Act to authorize the Construction of a Pier at *Burntisland* and other Works by the *North British* Railway Company; and for other Purposes.

cccx. An Act for making Railways from the *North London* Railway to *Alexandra Park*, and to the *Edgware, Highgate, and London* Railway; and for other Purposes.

cccxi. An Act for defining and extending the Powers of the Corporation of *Oldham* in relation to the Improvement of Streets in the Borough, and to Police and other Matters of local Government, and to Gas and Water Supply; and for other Purposes.

cccxii. An Act to authorize the Construction of a Railway between *Ross and Monmouth;* and for other Purposes.

cccxiii. An Act for dividing the Parish of *Saint Philip and Jacob* in the City and County of *Bristol;* and for forming the Out-Parish of *Saint Philip and Jacob* into a distinct and separate Parish; for making further Provision as to the Election and Appointment of Overseers of the Poor for the said Out-Parish, and as to Churchwardens of the said Out-Parish; and for other Purposes.

cccxiv. An Act for the making and maintaining of *Stapenhill Bridge* over the River *Trent* near to the Town of *Burton-upon-Trent*, with Approaches thereto, and for the discontinuing of *Stapenhill Ferry* across the River; and for other Purposes.

cccxv. An Act for making a Railway from near the *Aberystwith and Welsh Coast* Railway in the Parish of *Tonyn* in the County of *Merioneth* to the Township of *Maestrefnant* in the Direction of *Talyllyn*, to be called "The *Talyllyn* Railway;" and for other Purposes.

cccxvi. An Act for authorizing the *Vale of Neath* Railway Company to raise further Monies; and for giving Effect to Agreements between them and the *Aberdare Valley* Railway Company and the *London and North-western* Railway Company respectively; and for other Purposes.

cccxvii. An Act to authorize the Construction of a Railway from *Watchet* to *Minehead* in the County of *Somerset*.

cccxviii. An Act for making Railways in *Wiltshire* from the *London and South-western* Railway to the *Berks and Hants* Railway at *Pewsey* and *Woodborough*; and for other Purposes.

cccxix. An Act to authorize Deviations in the Line of the *Gloucester* Extension of the *Worcester, Dean Forest, and Monmouth* Railway Company; and to enable the Company to raise additional Capital; and for other Purposes.

cccxx. An Act for authorizing the Construction of a Railway from *Acton* to *Brentford*; and for other Purposes.

cccxxi. An Act to authorize the *West Riding and Grimsby* Railway Company to construct a Railway from the *South Yorkshire* Railway to *Lincoln*; and for other Purposes.

cccxxii. An Act for incorporating a Company for making a Railway from *Portmadoc* to *Beddgelert* in the Counties of *Carnarvon* and *Merioneth*; and for other Purposes.

cccxxiii. An Act to enable the *Bishop's Castle* Railway Company to make Deviations in their authorized Railway, and a new Line in connexion therewith; to alter the Levels of their authorized Railway; and for other Purposes.

cccxxiv. An Act for enabling the *Brecon and Merthyr Tydfil Junction* Railway Company to acquire the *Hereford, Hay, and Brecon* Railway; and for other Purposes.

cccxxv. An Act for the better Regulation and Management of the Docks and other Works at and near to *Cardiff* of the Trustees and others claiming under the Will of the late Marquess of *Bute*; for authorizing Arrangements with Railway and other Companies; and for other Purposes.

cccxxvi. An Act to confer further Powers upon the *Carnarvon and Llanberis* Railway Company; and for other Purposes.

cccxxvii. An Act to vest in the *Great Northern*, the *Manchester, Sheffield, and Lincolnshire*, and the *Midland* Railway Companies, jointly, the *Stockport and Woodley Junction*, the *Stockport, Timperley, and Altrincham Junction*, the *Cheshire Midland*, the *West Cheshire*, and the *Garston and Liverpool* Railways; and for other Purposes with respect to the said Undertakings.

cccxxviii. An

cccxxviii. An Act to authorize the *Edinburgh and Glasgow* Railway Company to make a Railway from *Glasgow* to *Coatbridge*, and a Junction with the *City of Glasgow Union* Railway; and for other Purposes.

cccxxix. An Act for incorporating a Company for making a Railway, to be called "The *Furness and Lancaster and Carlisle Union* Railway;" and for other Purposes.

cccxxx. An Act for the Amalgamation of the *Leeds, Bradford, and Halifax Junction* Railway Company with the *Great Northern* Railway Company.

cccxxxi. An Act for the Amalgamation of the *West Yorkshire* Railway Company with the *Great Northern* Railway Company.

cccxxxii. An Act for conferring Powers on the *Lancashire and Yorkshire* Railway Company for the Construction of Branch Railways and Works and the Acquisition of Lands; and for other Purposes.

cccxxxiii. An Act for conferring additional Powers on the *London and North-western* Railway Company in relation to their own Undertaking and the Undertakings of other Companies in *England;* and for other Purposes.

cccxxxiv. An Act for conferring additional Powers on the *London and North-western* Railway Company in relation to their own Undertaking and the Undertakings of other Companies in *Wales;* and for other Purposes.

cccxxxv. An Act for conferring additional Powers on the *Midland* Railway Company for the Construction of Works, and otherwise in relation to their own Undertaking and the Undertakings of other Companies; and for other Purposes.

cccxxxvi. An Act to repeal the Act relating to the *Moses Gate and Ringley* Branch Turnpike Roads, and to make other Provisions in lieu thereof; and to authorize new Works; and for other Purposes.

cccxxxvii. An Act to authorize the Widening and Extension of the *Nantlle* Railway; and for other Purposes.

cccxxxviii. An Act for making a Railway from *Christian Malford* in the County of *Wilts* to *Beachingstoke* in the same County.

cccxxxix. An Act to authorize the *North Staffordshire* Railway Company to construct certain Railways forming a Loop Line of Railway in the *Staffordshire Potteries;* and for other Purposes.

cccxl. An Act for authorizing the *Peterborough, Wisbeach, and Sutton* Railway Company to extend their Railway to *Crowland;* and for other Purposes.

cccxli. An Act to authorize the Construction of Railways in the County of *Salop*, to be called "The *Shrewsbury and Potteries Junction* Railway;" and for other Purposes.

cccxlii. An Act for authorizing the *Surbowy* Railway Company to construct a Railway in substitution for the authorized Extension of their Railway to the *Merthyr, Tredegar, and Abergavenny* Railway, and

and to deviate their authorized Railway in the Parish of *Bedwellty*, and to use Parts of the *Merthyr, Tredegar, and Abergavenny* Railway; and for confirming the Mode in which certain Roads have been crossed or diverted by the Company; and for suspending the Operation of certain Provisions of "The *Sirhowy* Railway Act, 1860," as to Passenger Trains to be run upon the Railways of the Company and the *Monmouthshire* Railway; and for other Purposes.

cccxliii An Act for authorizing "The *South-eastern* Railway Company" to make new Lines of Railway by way of Extensions of their Railway at *Greenwich, Woolwich,* and *Cranbrook* respectively; to acquire additional Lands; to raise further Monies; and for other Purposes.

cccxliv. An Act to authorize the Construction of a Railway in *Essex*, to be called the "*South Essex* Railway."

cccxlv. An Act to authorize the *Strathspey* Railway Company to extend their Railway; and for other Purposes.

cccxlvi. An Act to authorize the *Ryde* Pier Company to construct certain Tramways at *Ryde* in the *Isle of Wight;* and for other Purposes.

cccxlvii. An Act to authorize the *London, Chatham, and Dover* Railway Company to make a short connecting Railway at *Beckenham*, and to abandon certain authorized Lines; to make Provisions as to the working of their Traffic and that of the *South-eastern* Railway Company; to confer further Powers with reference to the *Kent Coast* Railway, and Exemptions from Dues and Privileges at *Broadstairs, Ramsgate*, and *Margate;* and for other Purposes.

cccxlviii. An Act for authorizing the Construction of Railways from *Bury St. Edmunds* in the County of *Suffolk* to *Thetford* in the County of *Norfolk*, and for other Purposes.

cccxlix. An Act to authorize the *Llanelly* Railway and Dock Company to extend their Railway to the *Mumbles.*

ccccl. An Act for making a Railway from *Navan* in the County of *Meath* to *Kingscourt* in the County of *Cavan.*

ccccli. An Act to authorize the Construction of Railways from *Waterford* to *Dungarvan* in the County of *Waterford*, and from *Lismore* in the County of *Waterford* to *Fermoy* in the County of *Cork;* and for other Purposes.

ccccli. An Act to confer further Powers upon the *Carmarthenshire* Railway Company; and for other Purposes.

ccccliii. An Act for making a Railway from the *Great Southern and Western* Railway at *Thurles* to *Clonmel.*

ccccliv. An Act to enable the *Chichester and Midhurst* Railway Company to extend their Railway to the *London and South-western* Railway near *Haslemere;* and for other Purposes.

ccccliv. An Act for making and maintaining "The *Bedford and Northampton* Railway;" and for other Purposes.

ccccliv. An

cccl vi. An Act for making an Extension of the *Blane Valley* Railway in the County of *Stirling*, and a Diversion of Part of the said Railway; and for other Purposes.

cccl vii. An Act for the Extension of the *Drayton Junction* Railway to *Bettisfield*; and for other Purposes.

cccl viii. An Act for making a Railway from *Girvan* in the County of *Ayr* to *East Challoch* in the County of *Wigtown;* and for other Purposes.

cccl ix. An Act for enabling the *Midland* Railway Company to construct Railways from *Mansfield* to *Southwell*, and from *Mansfield* to *Worksop*, with a Branch to *Staveley*, and other Branches; and for other Purposes.

cccl x. An Act to authorize the Construction of a Railway in the County of *Monmouth*, to be called the "*Newport and Usk* Railway;" and for other Purposes.

cccl xi. An Act to enable the *Northampton and Banbury Junction* Railway Company to make a Branch at *Blisworth;* to raise additional Capital; and for other Purposes.

cccl xii. An Act to enable the *Northampton and Banbury Junction* Railway Company to extend their Railway to *Chipping Norton* and *Blockley;* and for other Purposes.

cccl xiii. An Act to enable the *North-eastern* Railway Company to construct Branch Railways in the North Riding of *Yorkshire*, and abandon Portions of Railway; and for other Purposes.

cccl xiv. An Act for making Railways from the *Newport*, *Abergavenny*, and *Hereford* Line of the *Great Western* Railway Company at *Pontypool* to *Caerleon*, and to the *Great Western* Railway at or near *Newport;* and for other Purposes.

cccl xv. An Act for authorizing the Company of Proprietors of the *Regent*'s Canal to improve their *Limehouse* Basin, and make a new Entrance thereto from the River *Thames*, and a Wharf on the *Thames*, and other Works, at *Limehouse;* for regulating their Capital, and authorizing them to raise further Monies; and for other Purposes.

cccl xvi. An Act for making Railways in *Gloucestershire* to connect certain Railways on the East with Railways on the West of the River *Severn;* and for other Purposes.

cccl xvii. An Act for incorporating a Company for making a Railway, to be called "The *South Wales and Great Western Direct* Railway;" and for other Purposes.

cccl xviii. An Act for the Amalgamation of the Undertakings of the *West Hartlepool* Harbour and Railway Company and the *Cleveland* Railway Company with that of the *North-eastern* Railway Company; and for other Purposes.

cccl xix. An Act to incorporate a Company for making the *Limerick and North Kerry Junction* Railway; and for other Purposes.

ccclxx. An Act for authorizing the *Bodmin and Wadebridge* Railway Company to improve the Line of their Railway, and to abandon Portions thereof, and to raise further Monies; and for authorizing Arrangements between them and other Railway Companies; and for other Purposes.

ccclxxi. An Act to enable the *Mid-Wales* Railway Company to make Extensions to the Westward, and to abandon the Formation of the *Llangurig* Branch authorized to be made by "The *Mid-Wales* Railway (*Llangurig* Branch, &c.) Act, 1863;" and for other Purposes.

ccclxxii. An Act for authorizing the *West London* Docks and Warehouses Company to extend their Limits of Deviation; to divert or stop up Roads; to alter and vary their Rates and Duties and Rates of Interest; to change their Name; to raise further Monies; and for other Purposes.

ccclxxiii. An Act for making a Railway from the *Cornwall* Railway near *Saltash* to the *Tamar Kit Hill and Callington* Railway at *Callington* in the County of *Cornwall.*

ccclxxiv. An Act for authorizing the *Launceston, Bodmin, and Wadebridge Junction* Railway Company to make an Extension Railway from the *Bodmin and Wadebridge Junction* Railway at *Ruthern Bridge* to the *Cornwall* Railway at *Truro,* and to raise further Monies; and for changing the Name of the Company; and for other Purposes.

ccclxxv. An Act to authorize the Construction of a Railway from the *North Kent* Railway to the *Medway,* and of a Pier in that River; and for other Purposes.

ccclxxvi. An Act to authorize the Construction of a Railway in the County of *Glamorgan,* to be called "The *Afon Valley* Railway;" and for other Purposes.

ccclxxvii. An Act to authorize the Construction of a Dock and other Works at or near *Newport* on the Western Side of the River *Usk,* to be called "The *Alexandra* Dock," and of Railways to connect the same with neighbouring Railways; and for other Purposes.

ccclxxviii. An Act for authorizing the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Railway to *Liverpool;* and for other Purposes.

ccclxxix. An Act for making certain Railways from the *London, Brighton, and South Coast* Railway to the *East Grinstead, Groombridge, and Tunbridge Wells* Railway, and to the *Brighton, Uckfield, and Tunbridge Wells* Railway; and for other Purposes.

ccclxxx. An Act to authorize the Construction of a Railway from the *South Wales* Railway to *Fishguard Bay,* and of a Harbour there; and for other Purposes.

ccclxxxi. An Act to extend the Time limited for the Purchase of Lands and Completion of Works by the Acts relating to the *Waterford and Passage* Railway Company.

ccclxxxii. An Act to authorize the Construction of Railways in and near *Dublin,* to be called "The *Dublin Metropolitan Junction* Railways."

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to enlarge and amend the Powers and Provisions relating to the Management and Improvement of the Property subject to the Trusts of the Will of the Most Noble *Francis* late Duke of *Bridgewater*.

2. An Act for modifying the Trusts of the Settled Estates of the Right Honourable *George James* Earl of *Winchilsea and Nottingham*, declared by his Marriage Settlement, and to take effect during his Lifetime, and of which the Short Title is "Earl of *Winchilsea*'s Estate Act, 1865."

3. An Act for the better carrying into effect of "Baroness *Windsor*'s Estate Act, 1857."

4. An Act for amending, extending, and enlarging the Powers and modifying certain Conditions as to Residence contained in the Will and Codicils of the Right Honourable *John* Lord *Rolle* deceased.

5. An Act for confirming an Agreement between the Right Honourable *Charles Morgan Robinson* Lord *Tredegar* and Promoters of the *Alexandra* Dock Company for the Conveyance to the Company of Lands forming Part of his Settled Estates, and the making by Trustees of the Settlement of the Estates out of Trust Monies subject to the Settlement of a Contribution towards the Capital of the Company; and for other Purposes; and of which the Short Title is "Lord *Tredegar*'s Estate Act, 1865."

6. An Act for confirming Sales of Parts of an Estate called *Garthmeilio*, belonging to *John Wynne* Esquire, who has been found a Lunatic by Inquisition, and for authorizing the Sale of further Parts of the same Estate for the Purpose of paying Costs incurred in the Matter of his Lunacy, and certain of his private Debts.

7. An Act for enabling the Testamentary Trustees of Sir *William Francis Eliott* of *Stobs* and *Wells*, Baronet, deceased, to sell the Trust Estates or Parts thereof for the Purpose of paying off or providing for the Payment of the Debts which affect or which may be made to affect the same, and for other Purposes in relation thereto.

8. An

8. An Act to authorize the borrowing of Money on the Security of the Entailed Estate of *Downie Park* in the County of *Forfar*, or the Sale of a Portion of the Estate, for the Purpose of paying the Debts and Legacies affecting the same.

9. An Act for authorizing Sales of Fisheries and Rights of Fishing and other Hereditaments by the Provost of the College of the *Holy and Undivided Trinity* of Queen *Elizabeth* near *Dublin* in his Corporate Capacity; and for other Purposes.

PRIVATE ACT,

NOT PRINTED.

10. An Act to enable *Abraham Edwards* Clerk to exercise his Office of a Priest, and to hold any Benefice or Preferment in the United Church of *England* and *Ireland*.

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INDEX

TO THE

PUBLIC GENERAL ACTS,

28° & 29° VICTORIÆ,

Showing whether they relate to the whole or to any Part of the United Kingdom, viz.

E. *signifies that the Act relates to*	England (and Wales, if the Subject extends so far).
S. - - - -	Scotland.
I. - - - -	Ireland.
E. & I. - - -	England and Ireland.
G.B. - - - -	Great Britain.
G.B. & I. - - -	Great Britain and Ireland.
U.K. - - -	The whole of the United Kingdom.

BENGAL SECRETARIAT LIBRARY

A.

	Cap.	Relating to
ADMINISTRATION OF JUSTICE. *See* AFFIRMATIONS. BANKRUPTCY AND INSOLVENCY. CHANCERY (LANCASTER). CIVIL BILL COURTS PROCEDURE. COMMON LAW COURTS. COUNTY COURTS. COUNTY OF SUSSEX. COURTS OF JUSTICE. CROWN SUITS. EAST INDIA. ELECTION PETITIONS. EVIDENCE. EXCHEQUER. FELONY AND MISDEMEANOR. FOREIGN JURISDICTION. JUSTICES PROCEEDINGS. LAWS, COLONIAL. MARRIED WOMEN'S PROPERTY. PEACE PRESERVATION. PENALTIES. PROCURATORS. TRESPASS. TRUSTEES, &c. VAGRANCY.		
ADMIRALTY; for consolidating certain Enactments relating to the Admiralty - - - - -	124.	U.K.
——— to repeal Enactments relating to Powers of the Commissioners of the Admiralty, and to various Matters under the Control of the Admiralty - -	112.	U.K.
——— to enable the Admiralty to contract for certain Works in connexion with the Extension of Her Majesty's Dockyards [at Portsmouth and Chatham] -	51.	E.
——— *See also* HARBOURS. MARINES. NAVAL DISCIPLINE.		

INDEX TO THE PUBLIC GENERAL ACTS,

	Cap.	Relating to
ADVANCES FOR THE PUBLIC SERVICE. *See* BANK OF IRELAND.		
AFFIRMATIONS; to allow Affirmations or Declarations to be made instead of Oaths in all Civil and Criminal Proceedings in Scotland - - - - - -	9.	S.
ANNEXATION OF TITHES; for facilitating the Annexation of Tithes to District Churches - - - -	42.	E.
APPLICATION OF AIDS. *See* CONSOLIDATED FUND.		
APPLICATION of SEWAGE; for facilitating the more useful Application of Sewage in Great Britain and Ireland - -	75.	G.B & I.
APPROPRIATION OF SUPPLIES; to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year ending 31st March 1866, and to appropriate the Supplies granted in this Session of Parliament -	123.	U.K.
ARMY; for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters - - -	11.	U.K.
ARRANGEMENTS FOR RELIEF OF TURNPIKE TRUSTS. *See* TURNPIKE TRUSTS, &c.		
ARSENALS. *See* ROYAL ARSENALS, &c.		
AUDIT OF PUBLIC ACCOUNTS; to consolidate the Offices of Comptroller General of the Exchequer and Chairman of the Commissioners for auditing the Public Accounts; and for other Purposes - - - - - -	93.	U K.
AUGMENTATION OF BENEFICES. *See* BENEFICES.		
AYR BURGHS; to shorten the Time for the Election of Members to serve in Parliament for the Ayr District of Burghs -	92.	S.

B.

BALLOTS FOR THE MILITIA; to suspend the making of Lists and the Ballots for the Militia of the United Kingdom -	46.	G.B. & I.
BANK OF IRELAND; to make further Provision for the Management of the Unredeemed Public Debt in Ireland, and for the Reduction of the Interest payable on certain Sums advanced by the Bank of Ireland for the Public Service -	16.	G.B. & I.
BANKRUPTCY AND INSOLVENCY; to amend the Irish Bankrupt and Insolvent Act, 1857 (20 & 21 Vict. c. 60.) - -	21.	I.
BARRISTERS. *See* REVISING BARRISTERS		
BELFAST; to alter the Distribution of the Constabulary Force in Ireland, and to make better Provision for the Police Force in the Borough of Belfast - - -	70.	I.
BENEFICED CLERGY; further to amend and render more effectual the Law for providing fit Houses for the Beneficed Clergy, and for other Purposes - - - - - -	69.	E.
BENEFICES; to amend "The Endowment and Augmentation of Small Benefices (Ireland) Act, 1860" (23 & 24 Vict. c 72.)	82.	I.
BILLS, PRIVATE; for awarding Costs in certain Cases of Private Bills - - - - - - - -	27.	U.K.
BOARD OF TRADE. *See* HARBOURS.		
BONDS, EXCHEQUER; for raising the Sum of 1,000,000*l.* by Exchequer Bonds for the Service of the Year 1865 -	29.	U.K.
BOROUGH POLICE. *See* COUNTY AND BOROUGH POLICE.		
BRADFORD. *See* LOCAL GOVERNMENT.		
BRIDLINGTON. *See* LOCAL GOVERNMENT		
BRIGHOUSE. *See* LOCAL GOVERNMENT.		

	Cap.	Relating to
BRITISH KAFFRARIA, for the Incorporation of the Territories of, with the Colony of the Cape of Good Hope - -	5.	U.K.
BRITISH SPIRITS. *See* SPIRITS.		
BROMSGROVE. *See* LOCAL GOVERNMENT.		
BURGHS, AYR DISTRICT OF; to shorten the Time for the Election of Members to serve in Parliament for the Ayr District of Burghs - - - - - -	92.	S.
BURNLEY. *See* LOCAL GOVERNMENT.		
BURY. *See* LOCAL GOVERNMENT.		

C.

CAPE OF GOOD HOPE; for the Incorporation of the Territories of British Kaffraria with the Colony of the Cape of Good Hope - - - - - - - -	5.	U.K.
CARDIFF. *See* LOCAL GOVERNMENT.		
CARRICKFERGUS. *See* PIERS AND HARBOURS.		
CARRIERS; to amend the Carriers Act (11 Geo. 4. & 1 Will. 4. c. 68). - - - - - - -	94.	G.B. & I.
CENTRAL ARSENAL, &c. *See* ROYAL ARSENALS, &c.		
CHAIRMAN OF PUBLIC AUDIT. *See* COMPTROLLER OF THE EXCHEQUER.		
CHANCERY (LANCASTER); to extend to the Court of Chancery of the County Palatine of Lancaster certain of the Provisions of the Act 23 & 24 Vict. c. 145., to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills - -	40.	E.
CHAPELS, &c.; to provide for the Exemption of Churches and Chapels in Scotland from Poor Rates - - - -	62.	S.
CHARGE FOR RELIEF OF THE POOR; to provide for the better Distribution of the Charge for the Relief of the Poor in Unions - - - - - - - -	79.	E.
CHATHAM DOCKYARD. *See* DOCKYARDS.		
CHURCHES AND CHAPELS, to provide for the Exemption of, in Scotland, from Poor Rates - - - -	62.	S.
CHURCHES, DISTRICT. *See* ANNEXATION OF TITHES.		
CIVIL BILL COURTS PROCEDURE; to amend certain clerical Errors in the Civil Bill Courts Procedure Amendment Act (Ireland), 1864 (27 & 28 Vict. c. 99.) - - -	1.	I.
CIVIL AND CRIMINAL PROCEEDINGS. *See* AFFIRMATIONS.		
CLAIMS FOR COMPENSATION. *See* ISLE OF MAN.		
CLERGY; further to amend and render more effectual the Law for providing fit Houses for the Beneficed Clergy, and for other Purposes - - - - - - - -	69.	E.
CLERICAL SUBSCRIPTION; to amend the Law as to the Subscriptions and Declarations to be made and Oaths to be taken by the Clergy of the Established Church of England and Ireland - - - - - - -	122.	E. & I.
CLEVEDON. *See* PIERS AND HARBOURS.		
COCKERMOUTH. *See* LOCAL GOVERNMENT.		
COLONIAL DOCKS; to authorize Loans in aid of the Construction of Docks in British Possessions - - -	106.	U.K.
COLONIAL GOVERNORS, to authorize the Payment of Retiring Pensions to - - - - - -	113.	U.K.
COLONIAL LAWS, to remove Doubts as to the Validity of -	63.	U.K.

INDEX TO THE PUBLIC GENERAL ACTS,

	Cap.	Relating to
COLONIAL MARRIAGES; to remove Doubts respecting the Validity of certain Marriages contracted in Her Majesty's Possessions abroad - - - - - -	64.	U.K.
COLONIAL NAVAL DEFENCE; to make better Provision for the Naval Defence of the Colonies - - - - - -	14.	U.K.
COMMISSIONERS OF THE ADMIRALTY; to repeal Enactments relating to Powers of the Commissioners of the Admiralty, and to various Matters under the Control of the Admiralty	112.	U.K.
COMMISSIONERS OF PUBLIC WORKS; for transferring the Ulster Canal to the Commissioners of the Public Works in Ireland	109.	I.
COMMISSIONERS OF SUPPLY; to authorize the Alteration of the Time for holding Statutory Meetings of Commissioners of Supply in Scotland - - - - - -	38.	S.
COMMON LAW COURTS; to provide for the Collection by means of Stamps of Fees payable in the Superior Courts of Law at Westminster, and in the Offices belonging thereto -	45.	E.
COMMONS INCLOSURE; to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales - - - - - -	20. 39.	E.
COMPANIES. *See* MORTGAGE DEBENTURES.		
COMPENSATIONS (ISLE OF MAN DISAFFORESTATION); to authorize certain Payments out of the Land Revenues of the Crown to provide Compensation for certain Claims in the Isle of Man - - - - - - - - - -	28.	U.K.
COMPOUND SPIRITS WAREHOUSING; to allow British Compounded Spirits to be warehoused upon Drawback -	98.	U.K.
COMPTROLLER OF THE EXCHEQUER; to consolidate the Offices of Comptroller General of the Exchequer and Chairman of the Commissioners for auditing the Public Accounts -	93.	U.K.
CONCENTRATION OF COURTS OF JUSTICE. *See* COURTS OF JUSTICE		
CONFIRMATION OF PROVISIONAL ORDERS. *See* DRAINAGE AND IMPROVEMENT OF LANDS. LOCAL GOVERNMENT. PIERS AND HARBOURS. PILOTAGE. TURNPIKE TRUSTS, &c.		
CONSOLIDATED FUND; to apply the Sum of 175,650*l.* out of the Consolidated Fund to the Service of the Year ending the 31st March 1865 - - - - -	4.	U.K.
——— to apply the Sum of 15,000,000*l.* out of the Consolidated Fund to the Service of the Year 1865 - -	10.	U.K.
——— to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year ending 31st March 1866, and to appropriate the Supplies granted in this Session of Parliament -	123.	U.K.
CONSTABULARY FORCE; to alter the Distribution of the Constabulary Force in Ireland, and to make better Provision for the Police Force in the Borough of Belfast -	70.	I.
CONSTRUCTION OF DOCKS. *See* DOCKS.		
COSTS (PRIVATE BILLS); for awarding Costs in certain Cases of Private Bills - - - - - - - -	27.	U.K.
COUNTIES OF TOWNS. *See* LUNATIC ASYLUMS.		
COUNTY COURTS; to confer on the County Courts a limited Jurisdiction in Equity - - - - - - -	99.	E
COUNTY VOTERS; to amend the Law relating to the Registration of County Voters, and to the Powers and Duties of Revising Barristers in certain Cases - - - - - - -	36.	E.
COUNTY AND BOROUGH POLICE; to amend the Law relating to the Police Superannuation Funds in Counties and Boroughs	35.	E.

	Cap.	Relating to
COUNTY OF SUSSEX; to make better Provision respecting the Transaction of County Business and the Administration of Justice at Quarter Sessions in the County of Sussex; and to confirm certain Proceedings of the Justices of the said County - - - - - - - -	37.	E.
COURTS OF JUSTICE; to supply Means towards defraying the Expenses of providing Courts of Justice and the various Offices belonging thereto; and for other Purposes - - - - - - - -	48.	E.
——— to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a Site for the Erection and Concentration of Courts of Justice, and of the various Offices belonging to the same - -	49.	E.
CRIMINAL PROCEEDINGS. *See* AFFIRMATIONS. EVIDENCE, LAW OF.		
CROWN SUITS, &c.; to amend the Procedure and Practice in Crown Suits in the Court of Exchequer at Westminster; and for other Purposes - - - - - -	104.	E.
CUSTOMS AND INLAND REVENUE; to grant certain Duties of Customs and Inland Revenue [Tea; Fire Insurance; Income Tax] - - -	30.	U.K.
——— to allow British Compounded Spirits to be warehoused upon Drawback - - - - - -	98.	U.K.
——— to amend the Law relating to the Duties on Sugar, and the Drawbacks on those Duties - - -	95.	U.K.

BENGAL SECRETARIAT LIBRARY

D.

DEBENTURES; to enable certain Companies to issue Mortgage Debentures founded on Securities upon or affecting Land, and to make Provision for the Registration of such Mortgage Debentures and Securities -	78.	E.
——— for authorizing Transferable Debentures to be charged upon Land in Ireland - - - - -	101.	I.
DECLARATIONS; to allow Affirmations or Declarations to be made instead of Oaths in all Civil and Criminal Proceedings in Scotland - - - - -	9.	S.
——— to amend the Law as to the Subscriptions and Declarations to be made and Oaths to be taken by the Clergy of the Established Church of England and Ireland - - - - - - -	122.	E. & I.
DEFENCE ACT, 1860; to explain "The Defence Act, 1860," (23 & 24 Vict. c. 112.) - - - - -	65.	G. B. & I.
DEFENCE OF THE COLONIES; to make better Provision for the Naval Defence of the Colonies - - - -	14.	U.K.
DERBY. *See* LOCAL GOVERNMENT.		
DESERTION. *See* MUTINY.		
DEVON (COUNTY). *See* RAILWAY, &c.		
DISAFFORESTATION (ISLE OF MAN); to authorize certain Payments out of the Land Revenues of the Crown to provide Compensation for certain Claims in the Isle of Man -	28.	U.K.
DISCIPLINE, NAVAL; to amend "The Naval Discipline Act, 1864," (27 & 28 Vict. c. 119.) - - - - -	115.	U.K.
DISEMBODIED MILITIA. *See* MILITIA.		

INDEX TO THE PUBLIC GENERAL ACTS,

	Cap.	Relating to
DISTRICT CHURCH TITHES; for facilitating the Annexation of Tithes to District Churches - - - - -	42.	E.
DOCKS, COLONIAL; to authorize Loans in aid of the Construction of Docks in British Possessions - - -	106.	U.K.
DOCKYARDS; to enable the Admiralty to contract for certain Works in connexion with the Extension of Her Majesty's Dockyards [at Portsmouth and Chatham]	51.	E.
——— for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal - - - - - -	61.	U.K.
——— for the Regulation of Dockyard Ports - -	125.	G. B. & I.
DOGS; to render Owners of Dogs in England and Wales liable for Injuries to Cattle and Sheep - - -	60.	E.
——— for regulating the keeping of Dogs, and for the Protection of Sheep and other Property from Dogs, in Ireland - - - - - - -	50.	I.
DOVER. *See* FORTIFICATIONS.		
DOWNING STREET PUBLIC OFFICES; to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Lands for improving the Site of the new Public Offices in Downing Street and the Approaches thereto - - - - - - - -	31.	E.
DRAINAGE OF LAND; to confirm a Provisional Order under "The Land Drainage Act, 1861," (24 & 25 Vict. c. 133.) - - - - - - -	23.	E.
——— to amend "The Drainage and Improvement of Lands Acts (Ireland)," (26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.,) and to afford further Facilities for the Purposes thereof - - - - - -	52.	I.
——— to confirm certain Provisional Orders under "The Drainage and Improvement of Lands Act (Ireland), 1863," (26 & 27 Vict. c. 88.,) and the Act amending the same - - - - - -	13.	I.
——— to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," (26 & 27 Vict. c. 88.,) and the Act amending the same - - - - - - -	53.	I.
DRAINAGE (METROPOLIS); to extend the Period for borrowing the Sum authorized to be raised under the Metropolitan Main Drainage Extension Act, 1863, (26 & 27 Vict. c. 68.) - - - - -	19.	E.
DRAWBACKS. *See* SUGAR DUTIES.		
DUBLIN; to amend the Acts (17 & 18 Vict. c. 99. and 18 & 19 Vict. c. 44.) for the Establishment of a National Gallery in Dublin - - - - -	71.	I.
——— to extend the Powers now vested in Justices of the Peace to grant Licences to deal in Game to the Divisional Magistrates within the Police District of Dublin Metropolis - - - - -	2.	I.
——— for the Protection of Inventions and Designs exhibited at the Dublin International Exhibition for the Year 1865 - - - - - -	6.	I.
DUTIES, RATES, AND TAXES. *See* CUSTOMS AND INLAND REVENUE. EXCISE. POOR.		

	Cap.	Relating to
E.		
EAST INDIA (GOVERNOR GENERAL'S POWERS, &c.); to enlarge the Powers of the Governor General of India in Council at Meetings for making Laws and Regulations, and to amend the Law respecting the Territorial Limits of the several Presidencies and Lieutenant Governorships in India - - -	17.	U.K.
——— (HIGH COURTS); to extend the Term for granting fresh Letters Patent for the High Courts in India, and to make further Provision respecting the Territorial Jurisdiction of the said Courts - - -	15.	U.K.
EASTBOURNE. *See* PIERS AND HARBOURS.		
EASTBURY (BERKS); to render valid Marriages heretofore solemnized in the Chapel of Ease called Saint James-the-Greater Chapel, Eastbury, in the Parish of Lamborne (Berks) - - - - - - -	81.	E.
ECCLESIASTICAL COMMISSION; to enable the Ecclesiastical Commissioners for England to grant Superannuation Allowances to Persons employed in their Service - -	68.	E.
ECCLESIASTICAL LEASING; to amend certain Provisions in "The Ecclesiastical Leasing Act, 1858," (21 & 22 Vict. c. 57.) -	57.	E.
ELECTION PETITIONS; to amend "The Election Petitions Act, 1848," (11 & 12 Vict. c. 98.) in certain Particulars -	8.	G. B. & I.
ELECTIONS. *See* AYR BURGHS.		
EMPLOYMENTS, &c., QUALIFICATIONS FOR. *See* INDEMNITY.		
ENDOWMENT OF BENEFICES; to amend "The Endowment and Augmentation of Small Benefices (Ireland) Act, 1860," (23 & 24 Vict. c. 72.) - - - - -	82.	I.
EQUITABLE JURISDICTION OF COUNTY COURTS; to confer on the County Courts a limited Jurisdiction in Equity - -	99.	E.
ESTABLISHED CHURCH. *See* CLERICAL SUBSCRIPTION.		
EVIDENCE, LAW OF; for amending the Law of Evidence and Practice on Criminal Trials - - - -	18.	E. & I.
EXCHEQUER; to consolidate the Offices of Comptroller General of the Exchequer and Chairman of the Commissioners for auditing the Public Accounts; and for other Purposes -	93.	U.K.
EXCHEQUER BONDS; for raising the Sum of 1,000,000*l.* by Exchequer Bonds for the Service of the Year 1865 - -	29.	U.K.
EXCHEQUER, COURT OF; to amend the Procedure and Practice in Crown Suits in the Court of Exchequer at Westminster, and for other Purposes - - - - - -	104.	E.
EXCISE; to allow the charging of the Excise Duty on Malt according to the Weight of the Grain used -	66.	G. B. & I.
——— to allow British Compounded Spirits to be warehoused upon Drawback - - - - - -	98.	U.K.
——— *See also* INLAND REVENUE.		
EXHIBITIONS, INDUSTRIAL; for the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom - - - - -	3.	G. B. & I.
——— for the Protection of Inventions and Designs exhibited at the Dublin International Exhibition for the Year 1865 - - - - -	6.	I.
EXPIRING LAWS CONTINUANCE; for continuing various expiring Acts - - - - - - - -	119.	U.K.

F.

	Cap.	Relating to
FALMOUTH, to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol in the Borough of	103.	E.
FEES IN COMMON LAW COURTS; to provide for the Collection by means of Stamps of Fees payable in the Superior Courts of Law at Westminster, and in the Offices belonging thereto - - - - - - - -	45.	E.
FELONY AND MISDEMEANOR; for amending the Law of Evidence and Practice on Criminals Trials - - - -	18.	E. & I.
FIRE BRIGADE; for the Establishment of a Fire Brigade within the Metropolis - - - - - - -	90.	E.
FIRE INSURANCE. *See* CUSTOMS AND INLAND REVENUE.		
FISHERIES; to amend the Acts 23 & 24 Vict. c. 92. and 24 & 25 Vict. c. 72. relating to the Scottish Herring Fisheries - - - - -	22.	G.B.
——— to amend the Salmon Fishery Act, 1861, (24 & 25 Vict. c. 109.) - - - - - -	121.	E.
FOREIGN JURISDICTION; to explain the Foreign Jurisdiction Act (6 & 7 Vict. c. 94.) - - - - - -	116.	U.K.
FORTIFICATIONS; for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal - - - -	61.	U.K.
——— to explain the Defence Act, 1860, (23 & 24 Vict. c. 112.) - - - - - -	65.	G.B. & I.
FURNACES; to amend 20 & 21 Vict. c. 73., for the Abatement of the Nuisance arising from the Smoke of Furnaces in Scotland, and the Act 24 & 25 Vict. c. 17. to amend the said Act - - - - - - -	102.	S.

G.

GALLERY, NATIONAL. *See* DUBLIN.		
GAME; to alter the Days between which Pheasants may not be killed in Ireland - - - - - -	54.	I.
GAME LICENCES; to extend the Powers now vested in Justices of the Peace to grant Licences to deal in Game to the Divisional Magistrates within the Police District of Dublin Metropolis - - - - - - -	2.	I.
GAOL AT FALMOUTH; to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol in the Borough of Falmouth - - - - -	103.	E.
GAOLS. *See* PRISONS.		
GENERAL PIER AND HARBOUR ACT. *See* PIERS AND HARBOURS.		
GENERAL POLICE, &c. ACT, 1862; to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," (25 & 26 Vict. c. 101.) relating to the Burgh of Perth - - - - - -	7.	S.
GENERAL POST OFFICE; to enable Her Majesty's Postmaster General to acquire a Site for the Extension of the General Post Office in St. Martin's-le-Grand, in the City of London -	87.	E.
GIRVAN. *See* PIERS AND HARBOURS.		
GLOUCESTER. *See* LOCAL GOVERNMENT.		

	Cap.	Relating to
GOVERNMENT OF GREENWICH HOSPITAL; to provide for the better Government of Greenwich Hospital, and the more beneficial Application of the Revenues thereof - - -	89.	U.K.
GOVERNOR GENERAL OF INDIA; to enlarge the Powers of the Governor General of India in Council at Meetings for making Laws and Regulations, and to amend the Law respecting the Territorial Limits of the several Presidencies and Lieutenant Governships in India.	17.	U.K.
GOVERNORS OF COLONIES, to authorize the Payment of Retiring Pensions to - - - - - -	113.	U.K.
GREENWICH HOSPITAL; to provide for the better Government of Greenwich Hospital, and the more beneficial Application of the Revenues thereof.	89.	U.K.
GUILDFORD. *See* LOCAL GOVERNMENT.		

H.

HARBOURS; to transfer from the Admiralty to the Board of Trade Powers and Duties relative to certain Harbours - - - - - -	100.	E.
——— *See also* HARWICH HARBOUR. KINGSTOWN. PIERS AND HARBOURS.		
HARWICH HARBOUR; to amend the Acts 26 & 27 Vict. c. 71. and 27 & 28 Vict. c. 102. relating to the Preservation and Improvement of Harwich Harbour - -	120.	E.
HASTINGS. *See* LOCAL GOVERNMENT. PIERS AND HARBOURS.		
HEAP. *See* LOCAL GOVERNMENT.		
HENLEY. *See* LOCAL GOVERNMENT.		
HERNE BAY. *See* PIERS AND HARBOURS.		
HERRING FISHERIES; to amend the Acts 23 & 24 Vict. c. 92. and 24 & 25 Vict. c. 72. relating to the Scottish Herring Fisheries - - - - - -	22	G.B.
HIGH COURTS IN INDIA; to extend the Term for granting fresh Letters Patent for the High Courts in India, and to make further Provision respecting the Territorial Jurisdiction of the said Courts - - - - - -	15.	U.K.
HOUSELESS POOR; to make the Metropolitan Houseless Poor Act (27 & 28 Vict. c. 116.) perpetual - - - -	34.	E.

I.

IMPROVEMENT OF LANDS; to amend "The Drainage and Improvement of Lands Acts (Ireland)," (26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.,) and to afford further Facilities for the Purposes thereof -	52.	I.
——— to confirm certain Provisional Orders under "The Drainage and Improvement of Lands Act (Ireland), 1863," (26 & 27 Vict. c. 88.,) and the Act amending the same - - - - -	13.	I.
——— to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," (26 & 27 Vict. c. 88.,) and the Act amending the same - - - - - -	53.	I.

INDEX TO THE PUBLIC GENERAL ACTS,

	Cap.	Relating to
INCLOSURE OF LANDS; to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales - - - -	20. 39.	E.
INCOME TAX. *See* INLAND REVENUE.		
INCUMBENT OF ROCHDALE *See* ROCHDALE VICARAGE.		
INDEMNITY; to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively - - - - -	97.	G.B. & I.
INDIA; to extend the Term for granting fresh Letters Patent for the High Courts in India, and to make further Provision respecting the Territorial Jurisdiction of the said Courts - - - - -	15.	U.K.
——— to enlarge the Powers of the Governor General of India in Council at Meetings for making Laws and Regulations, and to amend the Law respecting the Territorial Limits of the several Presidencies and Lieutenant Governorships in India - -	17.	U.K.
INDIA OFFICE; to enable the Secretary of State in Council of India to acquire additional Lands for improving the Site of the India Office and the Approaches thereto - -	32.	E.
INDUSTRIAL EXHIBITIONS; for the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom - - - -	3.	G.B. & I.
——— for the Protection of Inventions and Designs exhibited at the Dublin International Exhibition - -	6.	I.
INLAND REVENUE; to amend the Laws relating to the Inland Revenue - - - - - - -	96.	G.B. & I.
——— to grant certain Duties of Customs and Inland Revenue [Tea; Fire Insurance; Income Tax] - -	30.	U.K.
INSOLVENCY; to amend the Irish Bankrupt and Insolvency Act, 1857 (20 & 21 Vict. c. 60.) - - - - -	21.	I.
INTERNATIONAL EXHIBITION (DUBLIN); for the Protection of Inventions and Designs exhibited at the Dublin International Exhibition for the Year 1865 - - -	6.	I.
INVENTIONS AND DESIGNS; for the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom - - - -	3.	G.B. & I.
——— for the Protection of Inventions and Designs exhibited at the Dublin International Exhibition for the Year 1865 - - - - -	6.	I.
IRELAND, ACTS RELATING SPECIALLY TO. *See* BANKRUPTCY AND INSOLVENCY. BELFAST. BENEFICES. CIVIL BILL COURTS PROCEDURE. CONSTABULARY FORCE. DEBENTURES. DOGS. DRAINAGE OF LAND. DUBLIN. GAME. GAME LICENCES. IRISH BANKRUPT AND INSOLVENT ACT. KINGSTOWN. LAND DEBENTURES. LAND DRAINAGE. LAND, TITLES TO. MARRIED WOMEN'S PROPERTY. NATIONAL GALLERY, DUBLIN. PEACE PRESERVATION. PHEASANTS. POLICE. POOR PROCEDURE. PUBLIC WORKS RECORD OF TITLE. SHEEP. SMALL BENEFICES. SUPERANNUATIONS. TITLES TO LAND. ULSTER CANAL. UNION OFFICERS. VAGRANCY.		
IRISH BANKRUPT AND INSOLVENT ACT; to amend the Irish Bankrupt and Insolvent Act, 1857 (20 & 21 Vict. c. 60.) -	21.	I.
ISLE OF MAN (DISAFFORESTATION); to authorize certain Payments out of the Land Revenues of the Crown to provide Compensation for certain Claims in the Isle of Man -	28.	U.K.

Cap. Relating to

J.

JURISDICTION, FOREIGN; to explain the Foreign Jurisdiction Act (6 & 7 Vict. c. 94.) - - - - - 116. U.K.

JURISDICTION OF COUNTY COURTS; to confer on the County Courts a limited Jurisdiction in Equity - - - 99. E.

JUSTICE, ADMINISTRATION OF. *See* AFFIRMATIONS. BANKRUPTCY AND INSOLVENCY. CHANCERY (LANCASTER). CIVIL BILL COURTS PROCEDURE. COMMON LAW COURTS. COUNTY COURTS. COUNTY OF SUSSEX. COURTS OF JUSTICE. CROWN SUITS. EAST INDIA. ELECTION PETITIONS. EVIDENCE. EXCHEQUER. FELONY AND MISDEMEANOR. FOREIGN JURISDICTION. JUSTICES PROCEEDINGS. LAWS, COLONIAL. MARRIED WOMEN'S PROPERTY. PEACE PRESERVATION. PENALTIES. PROCURATORS. TRESPASS. TRUSTEES, &c. VAGRANCY.

JUSTICE, COURTS OF; to supply Means towards defraying the Expenses of providing Courts of Justice and the various Offices belonging thereto; and for other Purposes - - - - - 48. E.

——— to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a Site for the Erection and Concentration of Courts of Justice, and of the various Offices belonging to the same - 49. E.

JUSTICES PROCEEDINGS CONFIRMATION; to make better Provision respecting the Transaction of County Business and the Administration of Justice at Quarter Sessions in the County of Sussex; and to confirm certain Proceedings of the Justices of the said County - - - 37. E.

K.

KAFFRARIA, for the Incorporation of the Territories of British Kaffraria with the Colony of the Cape of Good Hope - 5. U.K.

KINGSTON-UPON-HULL. *See* LOCAL GOVERNMENT.

KINGSTOWN, to amend the Acts relating to the Harbour of 67. I.

L.

LAMBORNE (BERKS); to render valid Marriages heretofore solemnized in the Chapel of Ease called Saint James-the-Greater Chapel, Eastbury, in the Parish of Lamborne (Berks) 81. E.

LANCASTER COURT OF CHANCERY; to extend to the Court of Chancery of the County Palatine of Lancaster certain of the Provisions of the Act 23 & 24 Vict. c. 145., to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills - 40. E.

LAND DEBENTURES; authorizing Transferable Debentures to be charged upon Land in Ireland - - - 101. I.

INDEX TO THE PUBLIC GENERAL ACTS,

	Cap.	Relating to
LAND DRAINAGE; to confirm a Provisional Order under "The Land Drainage Act, 1861" (24 & 25 Vict. c. 133.) -	23.	E.
——— to amend "The Drainage and Improvement of Lands Acts (Ireland)," (26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.,) and to afford further Facilities for the Purposes thereof - - - -	52.	I.
——— to confirm certain Provisional Orders under "The Drainage and Improvement of Lands Act (Ireland), 1863," (26 & 27 Vict. c. 88.,) and the Act amending the same - - - - -	13.	I.
——— to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," (26 & 27 Vict. c. 88.) and the Act amending the same - - - - - -	53.	I.
LAND REVENUES OF THE CROWN. *See* COMPENSATIONS, &c.		
LAND, TITLES TO; for the recording of Titles to Land in Ireland - - - - - -	88.	I.
LANDS, INCLOSURE OF; to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales - - -	20. 39.	E.
LAW OF EVIDENCE; for amending the Law of Evidence and Practice on Criminal Trials - - - -	18.	E. & I.
LAW OF PARTNERSHIP; to amend the Law of Partnership -	86.	G.B. & I.
LAWS, COLONIAL; to remove Doubts as to the Validity of Colonial Laws - - - - -	63.	UK.
LEASING, ECCLESIASTICAL; to amend certain Provisions in "The Ecclesiastical Leasing Act, 1858" (21 & 22 Vict. c. 57.) -	57.	E.
LETTERS PATENT. *See* HIGH COURTS IN INDIA.		
LICENCES, GAME; to extend the Powers now vested in Justices of the Peace to grant Licences to deal in Game to the Divisional Magistrates within the Police District of Dublin Metropolis - - - - - -	2.	I.
LISTS AND BALLOTS FOR THE MILITIA. *See* MILITIA.		
LLANDRILLO. *See* PIERS AND HARBOURS.		
LLANGOLLEN. *See* LOCAL GOVERNMENT.		
LOANS. *See* COLONIAL DOCKS.		
LOCAL GOVERNMENT; to confirm certain Provisional Orders under "The Local Government Act, 1858," (21 & 22 Vict. c. 98.,) relating to the Districts of Bridlington, Brighouse, Burnley, Henley, Shipley, Wallingford, Llangollen, Ormskirk, Swansea, Tormoham, and Lockwood - - - -	24.	E.
——— to confirm certain Provisional Orders under "The Local Government Act, 1858," (21 & 22 Vict. c. 98.,) relating to the Districts of Derby, Ramsgate, Oswestry, Bury, Heap, Cockermouth, Matlock Bath, and Bromsgrove - - - -	25.	E.
——— to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Sheffield, Bradford, and Gloucester - -	41.	E.
——— to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Nottingham, Rusholme, Plymouth, Redcar, Cardiff, Kingston-upon-Hull, Guildford, Ramsgate, Ryde, Workington, and Oxford, and for other Purposes relative to certain Districts under the said Act -	108.	E.
——— to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the Hastings District - - - -	110.	E.

	Cap.	Relating to
LOCKWOOD. *See* LOCAL GOVERNMENT.		
LOCOMOTIVES ON ROADS; further regulating the Use of Locomotives on Turnpike and other Roads, for agricultural and other Purposes - - - - -	83.	G. B. &
LUNATIC ASYLUMS; to explain and amend "The Lunatic Asylum Act, 1853," (16 & 17 Vict. c. 97.,) and "The Lunacy Act Amendment Act, 1862," (25 & 26 Vict. c 111.,) with reference to Counties of Towns which have Courts of Quarter Sessions, but no Recorder - - -	80.	E.

M.

MAIN DRAINAGE (METROPOLIS); to extend the Period for borrowing the Sum authorized to be raised under the Metropolitan Main Drainage Extension Act, 1863 (26 & 27 Vict. c. 68.) - - - - -	19.	E.
MALDON. *See* PIERS AND HARBOURS		
MALT, to allow the charging of the Excise Duty on, according to the Weight of the Grain used - - -	66.	G.B. & I.
MARINES; for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - -	12.	U.K.
——— for regulating the Payment of Naval and Marine Pay and Pensions - - - - -	73.	U.K.
——— to make better Provision respecting Wills of Seamen and Marines of the Royal Navy and Marines -	72.	U.K.
——— to regulate the Disposal of Money and Effects under the Control of the Admiralty, belonging to deceased Officers, Seamen, and Marines of the Royal Navy and Marines, and other Persons - - -	111.	U.K.
MARRIAGES VALIDITY; to render valid Marriages heretofore solemnized in the Chapel of Ease called Saint James-the-Greater Chapel, Eastbury, in the Parish of Lamborne (Berks) - - - -	81.	E.
——— to remove Doubts respecting the Validity of certain Marriages contracted in Her Majesty's Possessions abroad - - - - -	64.	U.K.
MARRIED WOMEN'S PROPERTY; to provide for the Security of Property of Married Women separated from their Husbands in Ireland - - - - - -	43.	I.
MATLOCK BATH. *See* LOCAL GOVERNMENT		
MEETINGS OF COMMISSIONERS OF SUPPLY; to authorize the Alteration of the Time for holding Statutory Meetings of Commissioners of Supply in Scotland - - -	88.	S.
MERCHANT SHIPPING ACT *See* PILOTAGE.		
METROPOLITAN FIRE BRIGADE; for the Establishment of a Fire Brigade within the Metropolis - - - -	90.	E.
METROPOLITAN HOUSELESS POOR; to make the Metropolitan Houseless Poor Act (27 & 28 Vict. c. 116.) perpetual -	34.	E.
METROPOLITAN MAIN DRAINAGE; to extend the Period for borrowing the Sum authorized to be raised under the Metropolitan Main Drainage Extension Act, 1863 (26 & 27 Vict. c. 68.) - - - - -	19.	E.
MEVAGISSEY. *See* PIERS AND HARBOURS.		

	Cap.	Relating to
MILITIA; to suspend the making of Lists and the Ballots for the Militia of the United Kingdom - -	46.	G.B. & I.
——— to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers - - - -	47.	G.B. & I.
MISDEMEANOR. *See* FELONY AND MISDEMEANOR.		
MORTGAGE DEBENTURES; to enable certain Companies to issue Mortgage Debentures founded on Securities upon or affecting Land, and to make Provision for the Registration of such Mortgage Debentures and Securities - - -	78.	E.
MORTGAGEES. *See* TRUSTEES, MORTGAGEES, &c.		
MUTINY; for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters -	11.	U.K.
——— for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - -	12.	U.K.

N.

NATIONAL GALLERY, DUBLIN; to amend the Acts 17 & 18 Vict. c. 99. and 18 & 19 Vict. c. 44. for the Establishment of a National Gallery in Dublin - - - -	71.	I.
NAVAL DEFENCE OF THE COLONIES, to make better Provision for the - - - - - - -	14.	U.K.
NAVAL DISCIPLINE—NAVY AND MARINES; to amend The Naval Discipline Act, 1864 (27 & 28 Vict. c. 119.) - -	115.	U.K.
——— for regulating the Payment of Naval and Marine Pay and Pensions - - - - -	73.	U.K
——— to make better Provision respecting Wills of Seamen and Marines of the Royal Navy and Marines -	72.	U.K.
——— to regulate the Disposal of Money and Effects under the Control of the Admiralty, belonging to deceased Officers, Seamen, and Marines of the Royal Navy and Marines, and other Persons - - -	111.	U.K.
——— *See also* ADMIRALTY. MUTINY.		
NORTHAM. *See* PIERS AND HARBOURS.		
NOTTINGHAM. *See* LOCAL GOVERNMENT.		

O.

OATHS. *See* AFFIRMATIONS. CLERICAL SUBSCRIPTION.
OFFICERS. *See* ARMY. MILITIA. NAVAL DISCIPLINE.
OFFICERS OF UNIONS. *See* SUPERANNUATION.
OFFICES, QUALIFICATIONS FOR. *See* INDEMNITY.
ORMSKIRK. *See* LOCAL GOVERNMENT.
OSWESTRY. *See* LOCAL GOVERNMENT.
OXFORD. *See* LOCAL GOVERNMENT.

OXFORD UNIVERSITY; to empower the University of Oxford to make Statutes as to the Vinerian Foundation in that University - - - - - -	55.	E.

P.

	Cap.	Relating to
PARSONAGES; to amend and render more effectual the Law for providing fit Houses for the Beneficed Clergy; and for other Purposes - - - - -	69	E.
PARTNERSHIP, to amend the Law of - - - - -	86.	G.B. & I.
PAY. *See* ARMY. MILITIA. NAVAL DISCIPLINE.		
PEACE PRESERVATION; to continue and amend the Peace Preservation (Ireland) Act, 1856 (19 & 20 Vict. c. 36.) -	113.	I.
PENALTIES; to amend the Law relating to small Penalties -	127.	E.
PENSARN. *See* PIERS AND HARBOURS.		
PENSIONS; to authorize the Payment of Retiring Pensions to Colonial Governors - - - -	113.	U.K.
——— for regulating the Payment of Naval and Marine Pay and Pensions - - - - - -	73.	U.K.
PERTH; to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," (25 & 26 Vict. c. 101.,) relating to the Burgh of Perth - -	7.	S.
PETITIONS, ELECTION; to amend "The Election Petitions Act, 1848," (11 & 12 Vict. c. 98.,) in certain Particulars -	8.	G.B. & I.
PHEASANTS; to alter the Days between which Pheasants may not be killed in Ireland - - - -	54.	I.
PIERS AND HARBOURS; for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," (24 & 25 Vict. c. 45.,) relating to Carrickfergus, Hastings, Maldon, Northam, and Shanklin -	58.	G.B. & I.
——— for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," (24 & 25 Vict. c. 45.,) relating to Girvan, Mevagissey, and Stornoway - - - - -	76.	G.B. & I.
——— for confirming, with Amendments, certain Provisional Orders made by the Beard of Trade under "The General Pier and Harbour Act, 1861," (24 & 25 Vict. c. 45.,) relating to Eastbourne, Clevedon, Herne Bay, Llandrillo, and Pensarn - -	114.	G.B. & I.
PILOTAGE; for confirming, with Amendments, a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," (25 & 26 Vict. c. 63.,) relating to the Pilotage of the Port of Sunderland - - - -	59.	E.
——— for confirming a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," (25 & 26 Vict. c. 63.,) relating to the Pilotage of the River Tyne - -	44.	E.
PLYMOUTH. *See* LOCAL GOVERNMENT.		
POLICE; to alter the Distribution of the Constabulary Force in Ireland, and to make better Provision for the Police Force in the Borough of Belfast - - -	70.	I.
——— to amend the Law relating to the Police Superannuation Funds in Counties and Boroughs - -	35.	E.
——— to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," (25 & 26 Vict. c. 101.,) relating to the Burgh of Perth - - - - - -	7.	S.

INDEX TO THE PUBLIC GENERAL ACTS,

	Cap.	Relating to
POOR—POOR LAW; to continue the Poor Law Board for a limited Period - - - -	105.	E.
——— to provide for the better Distribution of the Charge for the Relief of the Poor in Unions -	79	E.
——— to make the Metropolitan Houseless Poor Act (27 & 28 Vict. c. 116..) perpetual - - - -	34.	E
——— to provide for Superannuation Allowances to Officers of Unions in Ireland - - - -	26.	I.
——— to provide for the Exemption of Churches and Chapels in Scotland from Poor Rates - - -	62.	S.
PORTLAND. *See* FORTIFICATIONS.		
PORTS, DOCKYARD; for the Regulation of Dockyard Ports -	125.	G.B. & I.
PORTSMOUTH AND CHATHAM DOCKYARDS; to enable the Admiralty to contract for certain Works in connexion with the Extension of Her Majesty's Dockyards - - -	51	E.
POST OFFICE; to enable Her Majesty's Postmaster General to acquire a Site for the Extension of the General Post Office in St Martin's-le-Grand in the City of London - -	87.	E.
PRACTICE. *See* EXCHEQUER. FELONY AND MISDEMEANOR.		
PRESIDENCIES IN INDIA. *See* EAST INDIA.		
PREVENTION OF TRESPASS; to provide for the better Prevention of Trespass in Scotland - - - - - -	56.	S.
PRISONS, to consolidate and amend the Law relating to -	126.	E.
——— to amend the Prisons (Scotland) Administration Act, 1860, (23 & 24 Vict. c 105.,) and to explain the Fifty-second and Seventy-seventh Sections of the said Act - - - -	84.	S.
——— *See also* FALMOUTH.		
PRIVATE BILL COSTS; for awarding Costs in certain Cases of Private Bills - - - - - - -	27.	U.K.
PROCEDURE (CIVIL BILL COURTS); to amend certain clerical Errors in the Civil Bill Courts Procedure Amendment Act (Ireland), 1864, (27 & 28 Vict. c. 99.) - - - -	1.	I.
PROCURATORS; to amend the Laws relating to Procurators in Scotland - - - - - - -	85.	S.
PROPERTY OF MARRIED WOMEN; to provide for the Security of Property of Married Women separated from their Husbands in Ireland - - - - -	43	I.
PROTECTION OF INVENTIONS, &c. *See* INDUSTRIAL EXHIBITIONS		
PROVISIONAL ORDERS CONFIRMATION. *See* DRAINAGE AND IMPROVEMENT OF LANDS LOCAL GOVERNMENT. PIERS AND HARBOURS PILOTAGE TURNPIKE TRUSTS, &c.		
PUBLIC AUDIT. *See* COMPTROLLER OF THE EXCHEQUER.		
PUBLIC BUILDINGS. *See* COURTS OF JUSTICE. INDIA OFFICE. PUBLIC OFFICES.		
PUBLIC DEBT; to make further Provision for the Management of the Undeemed Public Debt in Ireland, and for the Reduction of the Interest payable on certain Sums advanced by the Bank of Ireland for the Public Service -	16.	G.B & I.
PUBLIC HOUSES; to amend the Act 27 & 28 Vict. c. 64, commonly called "The Public House Closing Act, 1864." -	77	E.
PUBLIC OFFICES; to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Lands for improving the Site of the new Public Offices in Downing Street and the Approaches thereto - - -	31	E.
PUBLIC WORKS; for transferring the Ulster Canal to the Commissioners of Public Works in Ireland - - -	109.	I.

	Cap.	Relating to
Q.		
QUALIFICATIONS FOR OFFICES; to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively - - -	97.	G.B. & I.
QUARTER SESSIONS, FALMOUTH; to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol in the Borough of Falmouth - -	103.	E.
R.		
RAILWAY (WAR DEPARTMENT); to enable Her Majesty's Secretary of State for the War Department to lay down and use a Tramway or temporary Railway across certain public Roads in the County of Devon - - - -	74.	E.
RAMSGATE. *See* LOCAL GOVERNMENT.		
RATES, TAXES, AND DUTIES. *See* CUSTOMS AND INLAND REVENUE. EXCISE. POOR.		
RECORD OF TITLE; for the recording of Titles to Land in Ireland - - - - - - -	88.	I.
REDCAR. *See* LOCAL GOVERNMENT.		
REGISTRATION OF MORTGAGE DEBENTURES; to enable certain Companies to issue Mortgage Debentures founded on Securities upon or affecting Land, and to make Provision for the Registration of such Mortgage Debentures and Securities	78.	E.
REGISTRATION OF COUNTY VOTERS, to amend the Law relating to	36.	E.
RELIEF OF THE POOR. *See* POOR.		
RETIRING PENSIONS. *See* COLONIAL GOVERNORS.		
REVENUES OF GREENWICH HOSPITAL; to provide for the better Government of Greenwich Hospital, and the more beneficial Application of the Revenues thereof - - -	89.	U.K.
REVISING BARRISTERS; to amend the Law relating to the Registration of County Voters, and to the Powers and Duties of Revising Barristers in certain Cases - -	36.	E.
ROADS; for further regulating the Use of Locomotives on Turnpike and other Roads for agricultural and other Purposes -	83.	G.B. & I.
——— *See also* TURNPIKE TRUSTS, &c.		
ROBBERS AND RAPPAREES. *See* VAGRANCY.		
ROCHDALE VICARAGE; to regulate the Appointment of a Vicar or Incumbent to the Vicarage of the Parish Church of Rochdale (Lancaster) in the Diocese of Manchester - -	117.	E.
ROYAL ARSENALS, &c.; for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal - - - - - - -	61.	U.K.
ROYAL MARINES. *See* NAVAL DISCIPLINE, &c.		
ROYAL NAVY. *See* NAVAL DISCIPLINE, &c.		
RUSHOLME. *See* LOCAL GOVERNMENT.		
RYDE. *See* LOCAL GOVERNMENT.		

FOREIGN AFFAIRS LIBRARY

	Cap.	Relating to
S.		
SAINT MARTIN'S-LE-GRAND. *See* GENERAL POST OFFICE.		
SALMON FISHERY; to amend "The Salmon Fishery Act, 1861," (24 & 25 Vict. c. 109.) - - - - - -	121.	E.
SCOTLAND, ACTS RELATING SPECIALLY TO. *See* AFFIRMATIONS. AYR BURGHS. CHURCHES AND CHAPELS. COMMISSIONERS OF SUPPLY. FURNACES. GENERAL POLICE ACT. PERTH. POOR. PRISONS. PROCURATORS. SMOKE NUISANCE. TRESPASS.		
SCOTTISH HERRING FISHERIES; to amend the Acts 23 & 24 Vict. c. 92. and 24 & 25 Vict. c. 72. relating to the Scottish Herring Fisheries - - - - -	22.	G.B.
SEAMEN. *See* NAVAL DISCIPLINE, &c.		
SETTLEMENTS. *See* TRUSTEES, &c.		
SEWAGE UTILIZATION; facilitating the more useful Application of Sewage in Great Britain and Ireland - - -	75.	G.B. & I.
SHANKLIN. *See* PIERS AND HARBOURS.		
SHEEP AND CATTLE; to render Owners of Dogs in England and Wales liable for Injuries to Cattle and Sheep -	60.	E.
——— for regulating the keeping of Dogs, and for the Protection of Sheep and other Property from Dogs, in Ireland	50.	I.
SHEFFIELD. *See* LOCAL GOVERNMENT.		
SHIPLEY. *See* LOCAL GOVERNMENT.		
SITES FOR PUBLIC OFFICES. *See* COURTS OF JUSTICE. INDIA OFFICE. PUBLIC OFFICES.		
SMALL BENEFICES; to amend "The Endowment and Augmentation of Small Benefices (Ireland) Act, 1860," (23 & 24 Vict. c. 72.) - - - - - - -	82.	I.
SMALL PENALTIES; to amend the Law relating to - -	127.	E.
SMOKE NUISANCE; to amend the Act 20 & 21 Vict. c. 73. for the Abatement of the Nuisance arising from the Smoke of Furnaces in Scotland, and the Act 24 & 25 Vict. c. 17., to amend the said Act - - - - - -	102.	S.
SPIRITS; to allow British Compounded Spirits to be warehoused upon Drawback - - - - - -	98.	U.K.
STAMPS, to provide for the Collection by means of Stamps of Fees payable in the Superior Courts of Law at Westminster, and in the Offices belonging thereto - - -	45.	E.
STORNOWAY. *See* PIERS AND HARBOURS.		
SUBSCRIPTION (CLERICAL); to amend the Law as to the Subscriptions and Declarations to be made and Oaths to be taken by the Clergy of the Established Church of England and Ireland - - - - - -	122.	E. & I.
SUGAR DUTIES; to amend the Law relating to the Duties on Sugar, and the Drawbacks on those Duties - -	95.	U.K.
SUNDERLAND; for confirming, with Amendments, a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," (25 & 26 Vict. c. 63.,) relating to the Pilotage of the Port of Sunderland -	59.	E.
SUPERANNUATION; to enable the Ecclesiastical Commissioners for England to grant Superannuation Allowances to Persons employed in their Service - - -	68.	E.
——— to amend the Law relating to the Police Superannuation Funds in Counties and Boroughs - -	35.	E.
——— to provide for Superannuation Allowances to Officers of Unions in Ireland - - - -	26.	I.

	Cap.	Relating to
SUPPLY. *See* CONSOLIDATED FUND.		
SUPPLY, COMMISSIONERS OF; to authorize the Alteration of the Time for holding Statutory Meetings of Commissioners of Supply in Scotland - - - - -	38.	S.
SUSPENSION OF MILITIA BALLOTS. *See* MILITIA.		
SUSSEX (COUNTY); to make better Provision respecting the Transaction of County Business and the Administration of Justice at Quarter Sessions in the County of Sussex; and to confirm certain Proceedings of the Justices of the said County - - - - - - -	37.	E.
SWANSEA. *See* LOCAL GOVERNMENT.		

T

TAXES, RATES, AND DUTIES. *See* CUSTOMS AND INLAND REVENUE. EXCISE. POOR.		
TEA. *See* CUSTOMS AND INLAND REVENUE.		
TERRITORIAL JURISDICTION. *See* HIGH COURTS IN INDIA.		
TITHES; for facilitating the Appropriation of Tithes to District Churches - - - - - - -	42.	E.
TITLES TO LAND; for the recording of Titles to Land in Ireland	88.	I.
TORIES, ROBBERS, AND RAPPAREES; to repeal the Act 6 Anne, c. 11. (I.), for explaining and amending the several Acts against Tories, Robbers, and Rapparees - - -	33.	I.
TORMOHAM. *See* LOCAL GOVERNMENT.		
TOWNS, LOCAL GOVERNMENT OF. *See* LOCAL GOVERNMENT.		
TRAMWAY (WAR DEPARTMENT); to enable Her Majesty's Secretary of State for the War Department to lay down and use a Tramway or temporary Railway across certain public Roads in the County of Devon - - - - -	74.	E.
TRESPASS; to provide for the better Prevention of Trespass in Scotland - - - - - -	56.	S.
TRUSTEES, MORTGAGEES, &c.; to extend to the Court of Chancery of the County Palatine of Lancaster certain of the Provisions of the Act 23 & 24 Vict. c. 145., to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills - -	40.	E.
TURNPIKE TRUSTS, &c.; to confirm certain Provisional Orders made under the Act 14 & 15 Vict. c. 38., to facilitate Arrangements for the Relief of Turnpike Trusts -	91.	E.
——— to continue certain Turnpike Acts in Great Britain -	107.	G.B.
——— for further regulating the Use of Locomotives on Turnpike and other Roads for agricultural and other Purposes - - - - -	83.	G.B. & I.
TYNE RIVER; for confirming a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage of the River Tyne - - - - - - -	44.	E.

U.

ULSTER CANAL; for transferring the Ulster Canal to the Commissioners of Public Works in Ireland - - -	109.	I.
UNION CHARGEABILITY; to provide for the better Distribution of the Charge for the Relief of the Poor in Unions -	79.	E.

	Cap.	Relating to
UNION OFFICERS SUPERANNUATION; to provide for Superannuation Allowances to Officers of Unions in Ireland -	26.	I.
UNIVERSITY OF OXFORD; to empower the University of Oxford to make Statutes as to the Vinerian Foundation in that University - - - - - -	55.	E.
UNREDEEMED PUBLIC DEBT; to make further Provision for the Management of the Unredeemed Public Debt in Ireland, and for the Reduction of the Interest payable on certain Sums advanced by the Bank of Ireland for the Public Service - - - - - -	16.	G.B & I.
UTILIZATION OF SEWAGE; for facilitating the more useful Application of Sewage in Great Britain and Ireland - -	75.	G.B. & I.

V.

VAGRANCY; to repeal the Act 6 Anne, c. 11. (I.), for explaining and amending the several Acts against Tories, Robbers, and Rapparees - - - - - -	33.	I.
VALIDITY OF COLONIAL LAWS; to remove Doubts as to the Validity of Colonial Laws - - - -	63.	U.K.
VALIDITY OF MARRIAGES. *See* MARRIAGES.		
VICARAGE OF ROCHDALE *See* ROCHDALE VICARAGE.		
VINERIAN FOUNDATION, OXFORD; to empower the University of Oxford to make Statutes as to the Vinerian Foundation in that University - - - - - -	55.	E
VOTERS REGISTRATION; to amend the Law relating to the Registration of County Voters, and to the Powers and Duties of Revising Barristers in certain Cases - -	36.	E.

W.

WALLINGFORD. *See* LOCAL GOVERNMENT		
WAR DEPARTMENT TRAMWAY; to enable Her Majesty's Secretary of State for the War Department to lay down and use a Tramway or temporary Railway across certain public Roads in the County of Devon - - - -	74.	E.
WAREHOUSING OF BRITISH SPIRITS. *See* SPIRITS.		
WILLS. *See* TRUSTEES, &c.		
WILLS OF SEAMEN, &c.; to make better Provision respecting Wills of Seamen and Marines of the Royal Navy and Marines - - - - - - -	72.	U.K.
WOMEN. *See* MARRIED WOMEN'S PROPERTY.		
WORKINGTON. *See* LOCAL GOVERNMENT.		

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Packet No 25.

ANNO REGNI

VICTORIÆ,

Britanniarum Reginæ,

VICESIMO OCTAVO.

At the Parliament begun and holden at *Westminster*, the Thirty-first Day of *May*, *Anno Domini* 1859, in the Twenty-second Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland*, Queen, Defender of the F[illegible]

And from thence continued, by several Prorogations, to the Seventh Day of *February* 1865; being the SEVENTH SESSION of the EIGHTEENTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland*.

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1865.

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VICTORIÆ REGINÆ.

***

Civil Bill Courts Procedure (Ireland) Act (1864) *Amendment.*

In Paragraph 1, Part 4 of Schedule B., the Figures "12" shall be substituted for the Figures "11:"

In Paragraph 2, Part 4 of Schedule B., the Figures "44" shall be substituted for the Figures "43;" and in Paragraph 3, Part 4 of Schedule B., the Figures "45" and "53" shall be respectively substituted for the Figures "44" and "52."

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VICTORIÆ REGINÆ.

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CAP. III.

An Act for the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom.

[27th *March* 1865.]

WHEREAS Exhibitions of Objects of Art and Industry manufactured or contributed wholly or in part by Members of the Industrious Classes of Her Majesty's Subjects have lately been held, and may be from Time to Time hereafter held, in divers Parts of the United Kingdom; and it is expedient to encourage such Exhibitions by granting to Persons desirous of exhibiting at the same new Inventions or new Designs such Protection as is herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as the "Industrial Exhibitions Act, 1865." Short Title.

2. It shall be lawful for the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, upon the Application of any Persons desirous of holding any such Exhibition Power to Board of Trade to certify that certain

Industrial Exhibitions are entitled to the Benefit of this Act.

Exhibition as aforesaid in any Part of the United Kingdom, to certify, if they shall think fit, that the Exhibition so proposed to be held is in their Judgment calculated to promote *British* Art and Industry, and to prove beneficial to the Industrious Classes of Her Majesty's Subjects, either generally or in or near the Place where such Exhibition is proposed to be held; and every such Certificate shall mention the Place at which and the Time during which such Exhibition is proposed to be held; and the Time mentioned in any such Certificate may afterwards, if the Lords of the said Committee shall so think fit, be enlarged and extended by a further Certificate, but so that the whole Time allowed and certified for the holding of the same Exhibition shall in no Case exceed the total Period of Six Months; and every such Exhibition so certified, if and so long as the same shall be held at the Place and within the Time mentioned in any such Certificate, shall be deemed to be an Industrial Exhibition entitled to the Benefit of this Act.

Exhibition of new Inventions not to prejudice Patent Rights.

3. The Exhibition of any new Invention at any Industrial Exhibition entitled to the Benefit of this Act shall not, nor shall the Publication during the Period of the holding of such Exhibition of any Description of such Invention, nor shall the User of such Invention for the Purposes of such Exhibition, and within the Place where the same may be held, or elsewhere by any Person using the same during the Period of such Exhibition, without the Privity and Consent of the true and first Inventor thereof, prejudice the Right of any Person to register provisionally such Invention, or invalidate any Letters Patent which may be granted for such Invention.

Exhibition of Designs not to prejudice Right to Registration.

4. The Exhibition at any Industrial Exhibition entitled to the Benefit of this Act of any new Design capable of being registered provisionally under the "Designs Act, 1850," or of any Article to which such Design is applied, shall not, nor shall the Publication during the Period of the holding of such Exhibition of any Description of such Design, prejudice the Right of any Person to register, provisionally or otherwise, such Design, or invalidate any Provisional or other Registration which may be granted for such Design.

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CAP. IV.

An Act to apply the Sum of One hundred and seventy-five thousand six hundred and fifty Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-five. [27th *March* 1865.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. There shall and may be issued and applied, for or towards making good the Supply granted to Her Majesty for the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred

There shall be applied for the Service of the Year ending

the 31st Day of March 1865 the Sum of 175,650*l.* out of the Consolidated Fund.

hundred and sixty-five, the Sum of One hundred and seventy-five thousand six hundred and fifty Pounds out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 175,650*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

2. It shall be lawful for the said Commissioners of Her Majesty's Treasury, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and seventy-five thousand six hundred and fifty Pounds; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

The Clauses, &c. in recited Acts extended to this Act.

3. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if particularly repeated and re-enacted in this Act.

Interest on Exchequer Bills.

4. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 175,650*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

5. It shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and seven

seventy-five thousand six hundred and fifty Pounds, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any other Act or Acts, to the contrary notwithstanding.

6. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Exchequer Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England*, under the Authority of this Act.

Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

7. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply, from Time to Time, all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act, to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Monies raised by Bills to be applied to the Services voted by the Commons.

8. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, at any Period not later than the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

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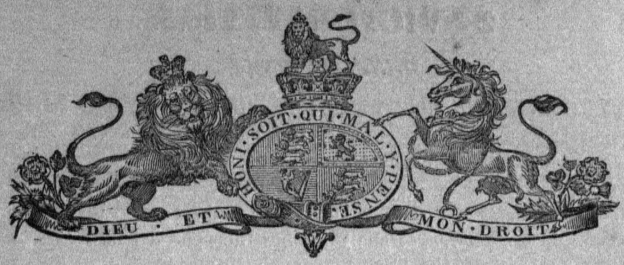

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VICTORIÆ REGINÆ.

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with Cape of Good Hope by Local Legislatures.

the Incorporation of *British Kaffraria* with the *Cape of Good Hope* (which they are hereby empowered to do), and the Governor of the *Cape of Good Hope* as Governor of *British Kaffraria* assents to such Provision by an Instrument under his Hand and under the Seal of *British Kaffraria*, then from and after the Date of such Assent *British Kaffraria* shall become incorporated with the *Cape of Good Hope* on the Terms of such Provision, for all Purposes whatever, as if *British Kaffraria* had always formed Part of the *Cape of Good Hope*.

Operation of this Act.

4. The Governor of the *Cape of Good Hope*, if he thinks fit, may at any Time before he has given such Assent declare, by Proclamation in the Government Gazette of the Colony, that the subsequent Provisions of this Act shall take effect, and those Provisions shall accordingly take effect from the Date of such Proclamation; but if such Proclamation is not made, then this Act shall operate as if the subsequent Provisions of this Act, or any of them, had not been inserted in this Act.

Additional Members of Assembly of Cape of Good Hope.

5. Four Members shall be added to the Number of the Members of the House of Assembly of the *Cape of Good Hope* (to which Members so added the Term "additional Members of the House of Assembly" when hereafter used in this Act refers).

Electoral Divisions in British Kaffraria.

6. *British Kaffraria* shall be divided into Two Parts, which shall be Electoral Divisions within the Meaning and for the Purposes of the Ordinance constituting a Parliament for the *Cape of Good Hope* (hereafter in this Act called the Constitution Ordinance), in like Manner and with the like Effect in all respects (subject to the other Provisions of this Act) as if those Electoral Divisions had been expressly constituted and named as such in that Ordinance.

Distribution of Members and Tenure of Seats.

7. Two of the additional Members of the House of Assembly shall be elected for each Electoral Division of *British Kaffraria*, and the additional Members shall hold their Seats in the House of Assembly for the same Period and subject to the same Conditions as if they had been elected under the Provisions of the Constitution Ordinance.

Governor of British Kaffraria to have Powers of Governor of Cape as to Elections.

8. In relation to the first Election of additional Members of the House of Assembly the Governor of *British Kaffraria* shall have all such Powers and Authorities as the Governor of the *Cape of Good Hope* has in relation to the Election of Members of the House of Assembly under the Constitution Ordinance.

9. With

British Kaffraria.

9. With respect to the Election of Members of the Legislative Council of the *Cape of Good Hope*, the Two Electoral Divisions of *British Kaffraria* shall be comprised in and form Part of the Eastern Districts, within the Meaning and for the Purposes of the Constitution Ordinance, in like Manner and with the like Effect in all respects (subject to the other Provisions of this Act) as if those Electoral Divisions had been expressly constituted Part of the Eastern Districts in that Ordinance.

For Elections to Legislative Council, British Kaffraria to be in Eastern Districts.

10. For the Purposes of the voting in *British Kaffraria* for Members of the Legislative Council, and of the electing of the additional Members of the House of Assembly, the Governor of *British Kaffraria* shall make such Ordinances and issue such Proclamations as seem to him necessary or proper for defining and naming the Two Electoral Divisions of *British Kaffraria*, and for regulating the Registration of Voters therein, and for appointing Returning Officers, and fixing the Times and Places of voting and Election, and generally for regulating the Conduct of such voting and electing; but no such Ordinance or Proclamation shall alter the Qualification of the Electors or Elected as declared by the Constitution Ordinance; and, subject to such Ordinances and Proclamations, the voting in *British Kaffraria* for Members of the Legislative Council, and the electing of the additional Members of the House of Assembly, shall be conducted in like Manner as if they were voted for and elected under the Provisions of the Constitution Ordinance.

Governor of British Kaffraria to make Ordinances, &c. for defining Electoral Divisions.

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11. Nothing in this Act shall prevent the Parliament of the *Cape of Good Hope* from altering in any respect the Constitution Ordinance, or from making such Provision as to them from Time to Time seems fit respecting any Matter regulated by any of the foregoing Provisions of this Act.

Nothing to prevent Parliament of the Cape from altering Ordinances, &c.

12. On the First Election of the additional Members of the House of Assembly being completed, the Governor of the *Cape of Good Hope* shall, by Proclamation in the Government Gazette of the Colony, declare their Names and the Fact of their Election, and from and after the Date of such Proclamation *British Kaffraria* shall become incorporated with the *Cape of Good Hope* on the Terms of this Act, for all Purposes whatever, as if *British Kaffraria* had always formed Part of the *Cape of Good Hope*.

Proclamation of Incorporation.

13. Until the Incorporation of *British Kaffraria* with the *Cape of Good Hope* in consequence of such Proclamation (hereafter in this Act called the Incorporation) takes effect, all Powers and Authorities vested in or exercised by the Governor of *British Kaffraria*

Continuance of Powers of Governor of British Kaffraria till Incorporation.

Kaffraria shall remain as if this Act had not been passed, and on the Incorporation those Powers and Authorities shall absolutely cease.

Continuance of Laws of British Kaffraria after Incorporation.

14. Until the Parliament of the *Cape of Good Hope* otherwise provides, all Laws and Customs which at the Time of the Incorporation are in force in *British Kaffraria* shall continue in force there after the Incorporation.

As to Transfer of Jurisdiction and Authority of Supreme Court of Cape of Good Hope, &c. in Civil and Criminal Matters.

15. Until the Parliament of the *Cape of Good Hope* otherwise provides, the Jurisdiction and Authority of the Supreme Court of the *Cape of Good Hope* and of the Court of the Eastern Districts thereof shall from and after the Incorporation extend to *British Kaffraria*, as if *British Kaffraria* had always formed Part of the *Cape of Good Hope*, and were comprised in the Eastern Districts thereof; and nothing in this Act shall discontinue or otherwise interfere with any Suit or Proceeding, Civil or Criminal, pending at the Time of the Incorporation in the Supreme Court of *British Kaffraria*, save only that on the Incorporation all such Suits and Proceedings shall, by virtue of this Act, stand transferred to the Court of the Eastern Districts of the *Cape of Good Hope*, and the same may be carried on, tried, heard, and determined in and by that Court, and an Appeal shall lie therein from that Court, in like Manner as nearly as may be in all respects as if they had been instituted or taken in that Court after the Incorporation; nor shall anything in this Act discontinue or otherwise interfere with any Appeal from the Supreme Court of *British Kaffraria* pending at the Time of the Incorporation, and the same may be prosecuted, heard, and determined, and any Judgment, Decree, or Order therein may be made, executed, and enforced, in like Manner as nearly as may be in all respects as if this Act had not been passed, save only that in relation to any such Appeal, Judgment, Decree, or Order, the Court of the Eastern Districts of the *Cape of Good Hope* shall be substituted for the Supreme Court of *British Kaffraria*.

Continuance of Electoral Provisions after Incorporation.

16. Until the Parliament of the *Cape of Good Hope* otherwise provides, all Ordinances and Proclamations made and issued by the Governor of *British Kaffraria* in pursuance of this Act relative to the voting in *British Kaffraria* for Members of the Legislative Council, or to the electing of the additional Members of the House of Assembly, shall continue in force after the Incorporation.

Sum to be paid out of Revenue for defraying Expenses as in Schedule.

17. Until the Parliament of the *Cape of Good Hope* otherwise provides, there shall, from and after the Incorporation, be payable every Year to Her Majesty, out of the Revenue accruing within *British Kaffraria* after the Incorporation, the Sum of Eighteen thousand

thousand two hundred and twenty-five Pounds, for defraying the Expenses of the several Services described in the Schedule to this Act; and that Sum shall be issued by the Treasurer of the *Cape of Good Hope* in discharge of such Warrant or Warrants as may be from Time to Time directed to him under the Hand and Seal of the Governor of the *Cape of Good Hope*.

18. Subject to the last foregoing Provision, all Revenue accruing within *British Kaffraria* after the Incorporation shall be taken to be Part of the Revenue of the *Cape of Good Hope;* and all Money at that Time due on account of *British Kaffraria* shall thenceforth be deemed to be due on account of the *Cape of Good Hope*. As to Revenue and Debt of British Kaffraria.

SCHEDULE.

	£
Salary of the Governor as High Commissioner -	1,000
Other Civil Services, including Compensations for Loss of Office consequent on the Incorporation awarded with the Approval of One of Her Majesty's Principal Secretaries of State - - - - -	17,225
	£18,225

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CAP. VI.

An Act for the Protection of Inventions and Designs exhibited at the *Dublin* International Exhibition for the Year One thousand eight hundred and sixty-five. [27th *March* 1865.]

WHEREAS it is expedient that such Protection as is hereinafter mentioned should be afforded to Persons desirous of exhibiting new Inventions or new Designs at the International Exhibition to be held at *Dublin* in the present Year: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Protection of Inventions and Designs Amendment Act, 1865." Short Title.

2. The Exhibition of any new Invention at the *Dublin* International Exhibition shall not, nor shall the Publication during the Period of the holding of such Exhibition of any Description of such Invention, nor shall the User of such Invention for the Purposes of the said Exhibition, prejudice the Right of any Person to register provisionally such Invention, or invalidate any Letters Patent that may be granted for such Invention. Exhibition of new Inventions not to prejudice Rights to register the same.

3. The

Dublin International Exhibition (1865).

Exhibition of new Designs not to prejudice Rights to register the same.

3. The Exhibition at the *Dublin* International Exhibition of any new Design capable of being registered provisionally under the Designs Act, 1850, or of any Article to which such Design is applied, shall not, nor shall the Publication during the Period of the holding of such Exhibition of any Description of such Design, prejudice the Right of any Person to register, provisionally or otherwise, such Design, or invalidate any provisional or other Registration that may be granted for such Design.

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CAP. VII.

An Act to confirm a Provisional Order under "The General Police and Improvement (*Scotland*) Act, 1862," relating to the Burgh of *Perth*.

[7th *April* 1865.]

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of "The General Police and Improvement (*Scotland*) Act, 1862," duly made the Provisional Order which is contained in the Schedule hereto annexed, and it is provided by the said Act that no such Order shall be of any Validity unless the same has been confirmed by Parliament; and it is expedient that the said Order should be so confirmed: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

25 & 26 Vict. c. 101.

1. The Provisional Order contained in the Schedule to this Act annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Provisional Order in Schedule confirmed.

2. This

Short Title. 2. This Act may be cited for all Purposes as "The General Police and Improvement (*Scotland*) Supplemental Act, 1865."

SCHEDULE referred to in this Act.

PERTH.

GENERAL POLICE and IMPROVEMENT (SCOTLAND) ACT, 1862.—(25 & 26 Vic. Cap. 101.)

Whereas by the General Police and Improvement (Scotland) Act, 1862, it is inter alia enacted, Section 79, that "whenever it appears desirable to the "Magistrates and Council of any Royal or Parliamentary Burgh, where there "is a Board of Commissioners of Police separate from such Magistrates and "Council, to unite the Municipal and Police Government and Jurisdiction of "any such Royal or Parliamentary Burgh in the Magistrates and Council "thereof, to transfer to them all the Powers and Jurisdictions of Police, "Paving, Lighting, Watching and others, granted to the Commissioners of "Police by any Local Acts, and to extend such Jurisdictions over the whole "Limits of such Burgh," the Magistrates and Council "may present a Petition "to One of Her Majesty's Principal Secretaries of State, praying for such "Provision, Repeal, and Alteration as aforesaid, or for any of such Things, "and such Petition shall be supported by such Evidence as the said Secretary "requires:"

And whereas there is in said Burgh of Perth a Board of Commissioners of Police separate from the Magistrates and Town Council of the said Burgh, which Board of Commissioners is appointed under and in virtue of a Local Act now in force (2 Victoria cap. xliii.), intituled "An Act for more effectually "paving the Streets of the City of Perth, for the better Lighting, Watching, "and Cleansing the said City and Suburbs thereof, for maintaining and "regulating the Police of the same, and for other Purposes relating thereto," (14th June 1839):

And whereas a Petition under the Provisions of the said General Police and Improvement (Scotland) Act has been addressed to me, as One of Her Majesty's Principal Secretaries of State, by the Lord Provost, Magistrates, and Council of the Royal Burgh of Perth, under their Corporate Seal, praying that, after the Inquiry directed by the Statute, a Provisional Order may be issued uniting the Municipal and Police Government and Jurisdiction of the said Royal Burgh of Perth in the Magistrates and Council thereof, and transferring to them all the Powers and Jurisdictions of Police, Paving, Watching, Lighting and others, granted to the said Commissioners of Police by the foresaid Local Act, and to extend such Jurisdiction over the whole Limits of the said Burgh, according to the Limits specified in the Third Section of the said Local Act as those over which the said Local Act extends:

And

And whereas certain Parts of the said Local Police Act ought to be repealed, and it is desirable that such Parts thereof should be specified and set forth, and that Provision should otherwise be made to regulate the future Application and Execution of the said Act:

And whereas due Inquiry has been directed and held in respect of the Matters mentioned in the said Petition:

Now, therefore, in pursuance of the Powers vested in me by the said General Police and Improvement (Scotland) Act, 1862, I, as One of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my Hand, direct that from and after any Act of Parliament confirming the same—

1.—The Municipal and Police Government and Jurisdiction of the said Royal Burgh of Perth shall be united in the Magistrates and Council thereof.

2.—The Parts of the said Local Police Act, 2 Victoria c. xliii, mentioned in the Schedule hereunto annexed shall be repealed, and as regards the other Parts of the said Local Police Act not hereby repealed, the whole Powers and Jurisdictions of Police, Paving, Lighting, Watching and others, granted to the Commissioners of Police by the said Local Police Act, shall be transferred to the Magistrates and Council of the said Burgh.

3.—The said Powers and Jurisdictions of the said Magistrates and Council shall be extended over the whole Limits of the said Burgh, according to the Limits or Boundaries specified in the Third Section of the said Local Act, as those over which the said Local Act extends.

4.—The Clerk, Inspector of Works, Collector, Surveyor, Superintendent, and all other Officers who have been appointed under and been employed in the Execution of the said Local Police Act, shall respectively continue to exercise their Offices until the First Ordinary Meeting of Council to be held after the passing of the Act confirming the present Provisional Order, or to be held on any other special Day to which such Ordinary Meeting may be adjourned.

5.—On any Application by Petition by the Magistrates and Council of the said Burgh to the Sheriff of the County, under the Provisions of the "General Police and Improvement (Scotland) Act, 1862," praying for the Extension of the Boundaries of the said Burgh, it shall be lawful for them to make Application in the same Petition, or separately, praying the said Sheriff to regulate the Wards of the said Burgh in manner after mentioned; and on such Application being made it shall be lawful to the Sheriff of the County, in the event of his extending the Boundaries of the said Burgh, to annex the Districts within such extended Boundaries to One or more of the existing Wards into which the said Burgh is at present divided, and to fix and re-arrange the Limits of the said Wards, and the Number of Councillors to be elected for each Ward, and to take all Proceedings for these Purposes he may think necessary or expedient.

6.—On such Formation of Wards being made and completed, a Notice, signed by the said Sheriff, specifying the Limits of such re-arranged Wards, and the Number of Councillors to be elected for each Ward, shall be published once in the Edinburgh Gazette, and once in each of Two successive Weeks

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in One or more of the Newspapers then published in the said Burgh; and thereafter the qualified Electors of the said re-arranged Wards whose Names shall be on the List or Roll of Electors of the said Burgh in force for the Time being shall be entitled to vote in the Election of Councillors for the Burgh for as many qualified Persons to be Councillors in and for the said Wards respectively as are specified in such Notice, in the Manner provided by the Act 3 & 4 William the Fourth cap. 76.

7.—All Orders or Deliverances pronounced by the said Sheriff in the Premises shall be final and not subject to Appeal, Review, or Reduction in any Court or by any Process whatever.

Given under my Hand and Seal, this Nineteenth Day of December 1864.

(L.S.) (Signed) G GREY.

SCHEDULE to which this Order refers.

The Parts of the Local Police Act (2 Vict. cap. xliii.) referred to in this Order to be repealed are as follows; viz.,

So much of the herein-before mentioned Act of the Second Year of the Reign of Her present Majesty (cap. xliii) as is included in the Sections thereof numbered respectively 4 and 5; 8 to 17, both inclusive; 20 to 26, both inclusive; 28 and 29; 33 and 34; and 45 and 46 and 47.

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ment shall be made for any longer Period than to the Day next after the Day the House shall actually sit for the Despatch of Business, unless such Day shall happen to be a *Sunday*, *Christmas Day*, or *Good Friday*, and in that Case the Adjournment shall be to the next following Day.

In certain Cases the House may direct a Committee to adjourn for a reasonable Period.

3. In case it shall become necessary to adjourn the Consideration of any Application or Report made by any Committee to the House, the House may, if it shall so think fit, direct the Committee to adjourn their Sitting again, and from Time to Time, and for such reasonable Time as shall be sufficient to enable the House to decide on such Application and Report, and such Committee shall adjourn accordingly.

If Committee dissolved by any Error, &c., a new Committee shall be struck, unless the House shall otherwise order.

4. If at any Time after the Appointment of a Committee under the Principal Act it shall appear to the House that, from any Error, Irregularity of Proceeding, Oversight, or other Cause, such Committee has become dissolved, or unable to continue its Sittings for any Cause not provided for by the Principal Act, another Committee shall be appointed to decide on the Petition referred to such Committee, unless the House shall otherwise order, within Three sitting Days, as herein-after provided; and for the Purpose of appointing such other Committee the General Committee and the Members of the Chairmen's Panel shall meet as soon as conveniently can be after the Expiration of Three sitting Days from the Time the Occasion for such new Committee shall be reported to or brought under the Notice of the House by any Member, at a Day and Hour to be appointed by the General Committee; and Notice of such Meeting shall be published with the Votes, and all the Proceedings of such former Committee shall be of no Effect.

House may order a dissolved Committee to be revived, and to re-assemble and act.

5. In all Cases where a Committee shall have become dissolved by any Error, Irregularity of Proceeding, Oversight, or other Cause, not involving the Death or permanent Illness of any of its Members, the House may, if it shall so think fit, within Three sitting Days after such Event shall have been reported to or brought under the Notice of the House by any Member, order such Committee to stand revived, and to meet, and continue its Sittings; and in such Case no new Committee shall be appointed, unless for any subsequent Cause; and the Proceedings of such new Committee shall have the same Force and Effect and be as valid as if no such Dissolution thereof had taken place.

6. A Com-

Election Petitions Act (1848) *Amendment.*

6. A Committee ordered to stand revived shall meet at the Time mentioned in such Order, and shall in its subsequent Sittings and Adjournments be regulated by all the Provisions of the Principal Act and of this Act.

As to Sittings of revived Committee.

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CAP. IX.

An Act to allow Affirmations or Declarations to be made instead of Oaths in all Civil and Criminal Proceedings in *Scotland*. [7th *April* 1865.]

WHEREAS Doubts have arisen whether the Provisions of the Eighteenth and Nineteenth of *Victoria*, Chapter Twenty-five, intituled *An Act to allow Affirmations or Declarations to be made instead of Oaths in certain Cases in* Scotland, be applicable to all Courts of Civil Judicature, and to all Civil Proceedings: And whereas the Relief afforded by that Act to Persons refusing or being unwilling from conscientious Motives to be sworn in Courts of Civil Judicature has since been extended to all Courts of Criminal Jurisdiction, and to all Criminal Proceedings, by the Twenty-sixth and Twenty-seventh of *Victoria*, Chapter Eighty-five; and it is desirable to remove such Doubts, and to make the Law as to Affirmations uniform for all Courts and for all Proceedings, whether Civil or Criminal: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

18 & 19 Vict. c. 25.

26 & 27 Vict. c. 85.

1. The said recited Acts shall be and the same are hereby repealed.

Recited Acts repealed.

Power to Persons objecting to be sworn from alleged conscientious Motives to make Affirmation, &c.

2. If any Person called as a Witness in any Court of Civil or Criminal Jurisdiction in *Scotland*, or required or desiring to make an Affidavit or Deposition in the Course of any Proceeding, or in any Matter, whether Civil or Criminal, shall refuse or be unwilling from alleged conscientious Motives to be sworn, it shall be lawful for the Court or Judge, or other presiding Officer or Person qualified to take Affidavits or Depositions, upon being satisfied of the Sincerity of such Objection, to permit such Person, instead of being sworn, to make his or her solemn Affirmation or Declaration in the Words following:

'I *A.B.* do solemnly, sincerely, and truly affirm and declare, That 'the taking of any Oath is, according to my Religious Belief, 'unlawful; and I do also solemnly, sincerely, and truly affirm and 'declare, *&c.*'

Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form.

Persons falsely affirming, &c. to incur Penalties of wilful Perjury.

3. If any Person making such solemn Affirmation or Declaration shall wilfully, falsely, and corruptly affirm or declare any Matter or Thing which, if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the same Penalties as by the Laws and Statutes of this Kingdom are or may be enacted or provided against Persons convicted of wilful and corrupt Perjury.

Short Title.

4. This Act may be cited for all Purposes as "The Affirmations (*Scotland*) Act, 1865."

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and *Ireland*, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 15,000,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

2. It shall be lawful for the said Commissioners of Her Majesty's Treasury, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Fifteen Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

The Clauses, &c. in recited Acts extended to this Act.

3. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Act shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if particularly repeated and re-enacted in this Act.

Interest on Exchequer Bills.

4. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 15,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

5. It shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Fifteen Millions, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any other Act or Acts, to the contrary notwithstanding.

6. It

Consolidated Fund (£15,000,000).

6. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Exchequer Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England*, under the Authority of this Act.

Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

7. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply, from Time to Time, all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act, to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Monies raised by Bills to be applied to the Services voted by the Commons.

8. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, at any Period not later than the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

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Realm; yet nevertheless it being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Articles of War made by Her Majesty to be judicially taken notice of, and Copies printed by the Queen's Printer to be transmitted to Judges, &c.

1. It shall be lawful for Her Majesty to make Articles of War for the better Government of Her Majesty's Army, which Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same, printed by the Queen's Printer, shall, as soon as may be after the same shall have been made and established by Her Majesty, be transmitted by Her Majesty's Secretary of State for the War Department to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland*, or within the *British Isles*, shall by such Articles of War be subject to suffer any Punishment extending to Life or Limb, or to be kept in Penal Servitude, except for Crimes which are by this Act expressly made liable to such Punishments as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act: Provided also, that nothing in this Act contained shall in any Manner prejudice or affect any Articles of War or other Matters made, enacted, or in force, or which may hereafter be made, enacted, or in force, under the Authority of the Government of *India*, respecting Officers or Soldiers or Followers in Her Majesty's *Indian* Army, being Natives of *India*; and on the Trial of all Offences committed by any such Native Officer or Soldier or Follower, Reference shall be had to the Articles of War framed by the Government of *India* for such Native Officers, Soldiers, or Followers, and to the established Usages of the Service.

Persons subject to this Act.

2. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, and to all Warrant Officers, and to all Persons employed on the Recruiting Service receiving Pay, and all Pensioners receiving Allowances in respect of such Service, and to Persons who are or shall be hired to be employed in the Royal Artillery, Royal Engineers, and to Master Gunners, and to Conductors of Stores, and to the Corps of Royal Military

Military Surveyors and Draftsmen, and to all Officers and Persons who are or shall be serving on the Commissariat Staff or in the Commissariat Staff Corps, and to Officers serving in the Military Store Department, and to Persons in the War Department, who are or shall be serving with any Part of Her Majesty's Army at home or abroad, under the Command of any Commissioned Officer, and (subject to and in accordance with the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Ninety-five,) to any Out-pensioners of the Royal Hospital, *Chelsea*, who may be called out on Duty in aid of the Civil Power, or for Muster or Inspection, or who having volunteered their Services for that Purpose shall be kept on Duty in any Fort, Town, or Garrison, and to all Military Store Officers and other Civil Officers who are or shall be employed by or act under the Secretary of State for War at any of Her Majesty's Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; and all the Provisions of this Act shall apply to all Persons belonging to Her Majesty's *Indian* Forces who are or shall be commissioned or in Pay as Officers, or who shall be listed or in Pay as Non-commissioned Officers or Soldiers, or who are or shall be serving or hired to be employed in the Artillery or any of the Trains of Artillery, or as Master Gunners or Gunners, or as Conductors of Stores, or who are or shall be serving in the Department of Engineers, or in the Corps of Sappers and Miners, or Pioneers, or as Military Surveyors or Draftsmen, or in the Ordnance or Public Works or Commissariat Departments, and to all Storekeepers and other Civil Officers employed under the Ordnance, and to all Veterinary Surgeons, Medical Storekeepers, Apothecaries, Hospital Stewards, and others serving in the Medical Department of the said Forces, and to all Licensed Suttlers, and all Followers in or of any of the said Forces; provided that nothing in this Act contained shall extend to affect any Security which has been or shall be given by any Military Store Officer, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, but that all such Securities shall be and remain in full Force and Effect.

Provisions of this Act to extend to Jersey, Guernsey, &c.

3. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions herein contained for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and as to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also as to the Provisions which relate to the Punishment of

of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Medals for good Conduct or for distinguished or other Service, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, or who shall aid in the Escape of a Prisoner from a Military Prison, or who shall introduce forbidden Articles into such Prison, or shall carry out any such Articles, or who shall assault any Officer of such Prison, and also as to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Colonial and Foreign Troops in Her Majesty's Pay to be subject to Provisions of this Act.

4. All Officers and Soldiers of any Troops mustered and in Pay, which shall be raised and serving in any of Her Majesty's Dominions abroad, or in Places in possession of or occupied by Her Majesty's Subjects under the Command of any Officer having any Commission immediately from Her Majesty, shall be subject to the Provisions of this Act and of Her Majesty's Articles of War, in like Manner as Her Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *Great Britain* or *Ireland*, although not allowed to serve therein, all the Provisions of this Act in regard to billeting Soldiers shall apply to such Officers and Soldiers.

Provision as to the Militia and Yeomanry Corps.

5. Nothing in this Act contained shall be construed to extend to any Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, excepting only where by any Act for regulating any of the said Forces or Corps the Provisions contained in any Act for punishing Mutiny and Desertion are or shall be specifically made applicable to such Forces or Corps.

Power to constitute Courts-martial.

6. For the Purpose of bringing Offenders against this Act and against the Articles of War to Justice, Her Majesty may from Time to Time, in like Manner as has been heretofore used, grant Commissions under the Royal Sign Manual for the holding of Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and may grant Commissions or Warrants under the said Royal Sign Manual to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being, any Body of Troops belonging to Her Majesty's Army, as well within the United Kingdom of *Great Britain* and *Ireland* and the *British Isles*, as in any of Her Majesty's Garrisons and Dominions or elsewhere beyond Seas, for convening Courts-martial, and for authorizing any Officer under their respective Commands to convene Courts-martial, as Occasion may require, for the Trial of

of Offences committed by any of the Forces under the Command of any such last-mentioned Officer, whether the same shall have been committed before or after such Officer shall have taken upon him such Command: Provided that the Officer so authorized be not below the Degree of a Field Officer, except in detached Situations beyond Seas where a Field Officer is not in Command, in which Case a Captain may be authorized to convene District or Garrison Courts-martial: Every Officer so authorized to convene Courts-martial may confirm the Sentence of any Court-martial convened by him according to the Terms of his Warrant.

Place where Offenders may be tried.

7. Any Person subject to this Act who shall, in any Part of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions or in any other Place whereto he may have come or where he may be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Powers of General Courts-martial.

8. Every General Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Thirteen Commissioned Officers, and shall have Power to sentence any Officer or Soldier to suffer Death, Penal Servitude, Imprisonment, Forfeiture of Pay or Pension, or any other Punishment which shall accord with the Usage of the Service; but no Judgment of Death by a Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein; and no Court-martial within the United Kingdom or elsewhere held under the Provisions of this Act shall have Power to award a Sentence of Transportation.

Powers of District or Garrison Courts-martial.

9. Every District or Garrison Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Seven Commissioned Officers, and shall have the same Power as a General Court-martial to sentence any Soldier to such Punishments as shall accord with the Provisions of this Act: Provided always, that no such District or Garrison Court-martial shall have Power to try a Commissioned Officer, or to pass any Sentence of Death or Penal Servitude.

Powers of Regimental or Detachment Courts-martial.

10. A Regimental or Detachment Court-martial shall consist of not less than Five Commissioned Officers, unless it is found to be impracticable to assemble that Number, in which Case Three shall be sufficient, and shall have Power to sentence any Soldier to Corporal Punishment, or to Imprisonment, and to Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Mutiny.

Courts-martial on Line of March or in Troop Ships, &c.

11. In Cases of Mutiny and gross Insubordination or other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship, not in Commission, the Offender may be tried by a Regimental or Detachment Court-martial, and the Sentence may be confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award.

Powers of Detachment General Courts-martial.

12. It shall be lawful for any Officer commanding any Detachment or Portion of Troops serving in any Place beyond Seas where it may be found impracticable to assemble a General Court-martial, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or resident in any Country in which such Troops are so serving, by any Person serving with or belonging to Her Majesty's Armies, being under the immediate Command of any such Officer, to convene a Detachment General Court-martial, which shall consist of not less than Three Commissioned Officers, for the Purpose of trying any such Person; and every such Court-martial shall have the same Powers in regard to Sentence upon Offenders as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Court-martial shall be executed until the General commanding the Army of which such Detachment or Portion forms Part shall have approved and confirmed the same.

As to swearing and summoning of Witnesses.

13. All General and other Courts-martial shall administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate General, or his Deputy, or the Person officiating as Judge Advocate, and in the Case of all other Courts-martial by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or attending upon or returning from such Court-martial; and all Witnesses so duly summoned as aforesaid who

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who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence, or not produce the Documents under their Power or Control required to be produced by them, or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session or Sheriff or Stewart Courts in *Scotland*, or in Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness, after having been duly summoned or subpœnaed, had neglected to attend upon a Trial in any Proceeding in the Court in which such Complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an Oath necessary in any Case where by Law a solemn Affirmation may be made instead thereof: It shall be lawful for the President of any Court-martial to administer an Oath to a Shorthand Writer to take down, according to the best of his Power, the Evidence to be given before the Court.

No Second Trial for the same Offence, but Revision may be allowed.

14. No Officer or Soldier who shall be acquitted or convicted of any Offence shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence in respect of any Charge on which the Prisoner then stands arraigned be received by the Court on any Revision.

Crimes punishable with Death.

15. If any Person subject to this Act shall at any Time during the Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in any Forces belonging to Her Majesty's Army, or Her Majesty's Royal Marines, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence, or Licence of the General or Chief Commander; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress,

tress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall desert Her Majesty's Service; or shall leave his Post before being regularly relieved; or shall sleep on his Post; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other his superior Military Officer, being in the Execution of his Office; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence be committed within this Realm or in any other of Her Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death, or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Soldier attested for or in Pay in any Regiment or Corps who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Regiment or Corps, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

Judgment of Death may be commuted for Penal Servitude or other Punishments.

16. In all Cases where the Punishment of Death shall have been awarded by a General Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Commanding Officer having Authority to confirm the Sentence, instead of causing such Sentence to be carried into execution, to order the Offender to be kept in Penal Servitude for any Term not less than Five Years, or to suffer such Term of Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, as shall seem meet to Her Majesty, or to the Officer commanding as aforesaid.

Embezzlement, &c. of Stores punishable by Penal Servitude, or by Fine, Imprisonment, &c.

17. Any Officer or Soldier of Her Majesty's Army, or any Person employed in the War Department, or in any way concerned in the Care or Distribution of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Stores belonging to Her Majesty's Army or for Her Majesty's Use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same, knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a General Court-martial, and sentenced to be kept in Penal Servitude for any Term not less than Five Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, Reduction to the Ranks if a Warrant or Non-commissioned Officer, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, and in every such Case the Court is required to ascertain by Evidence the

the Amount of such Loss or Damage, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies, or in *India*, where the Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known, or the Offender, if he shall remain in the Service, may be put under Stoppages not exceeding One Half of his Pay and Allowances until the Amount so ascertained shall be recovered.

As to Execution of Sentences of Penal Servitude in the United Kingdom.

18. Whenever Her Majesty shall intend that any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Penal Servitude any Sentence of Death passed by any such Court, the Sentence, together with Her Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief Her Majesty's Army in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of Her Majesty's Army in *Great Britain* and *Ireland*, then by the Secretary of State for the War Department, to any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Penal Servitude of such Offender in conformity with such Notification, and shall do all such other Acts consequent upon such Notification as such Judge is authorized to do by any Act in force touching the Penal Servitude of other Offenders; and it shall be lawful for any Judge of the Queen's Bench, Common Pleas, or Exchequer in *Ireland* to make an Order that any such Offender convicted in *Ireland* shall be kept in Penal Servitude in *England*; and such Order shall be in all respects as effectual in *England* as though such Offender had been convicted in *England*, and the Order had been made by any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England*; and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to be kept in Penal Servitude shall be subject to every Provision made by Law and in force concerning Persons under Sentence of Penal

Servitude; and from the Time when such Order of Penal Servitude shall be made every Act in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding and abetting, contriving or assisting in any Escape or intended Escape or returning without Leave of any such Offender; and the Judge who shall make any Order of Penal Servitude as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, and the Conditions on which the Order of Penal Servitude was made; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

As to Execution of Sentences of Penal Servitude in the Colonies, India, or elsewhere out of Her Majesty's Dominions.

19. Whenever any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial holden in *India*, or in any other Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death passed by any such Court-martial has been or shall as aforesaid be commuted to Penal Servitude, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in *India*, or the Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or intermediate Custody of such Offender; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in *India*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who, on Receipt of such Notification, shall cause such Offender to be removed or sent to some other Colony or Place, or to undergo his Sentence within the Presidency or Colony where the Offender was so sentenced, or where he may come or be as aforesaid, in obedience to the Directions for the Removal

Removal and Treatment of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender shall according to such Directions undergo the Sentence of Penal Servitude which shall have been passed upon him either in the Presidency or Colony in which he has been so sentenced, or in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be imprisoned, and kept to Hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned, with Hard Labour, during the Term of his Penal Servitude, by the Judgment of a Court of competent Jurisdiction in such Presidency or Colony, or in the Colony or Place to which he has been so removed or sent respectively: And elsewhere out of Her Majesty's Dominions, the Officer commanding shall have Power to make an Order in Writing for the Penal Servitude or intermediate Custody of such Offender; and such Offender shall be liable by virtue of such Order to be imprisoned and kept to Hard Labour and otherwise dealt with under the Sentence of the Court in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Penal Servitude by the Judgment of a Court of competent Jurisdiction in the Place where he may be ordered to be kept in such intermediate Custody, or in the Place to which he may be removed for the Purpose of undergoing his Sentence of Penal Servitude.

A Sentence of Penal Servitude may be commuted for Imprisonment, &c.

20. In any Case where a Sentence of Penal Servitude shall have been awarded by a General or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned, with or without Hard Labour, and with or without Solitary Confinement, for such Term not exceeding Four Years as shall seem meet to Her Majesty, or to the Officers commanding as aforesaid.

Of Forfeitures, when combined with Penal Servitude.

21. Where an Award of any Forfeiture, or of Deprivation of Pay, or of Stoppages of Pay, shall have been added to any Sentence of Penal Servitude, it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, in the event of the Sentence being commuted for Imprisonment, to order such Award of Forfeiture, Deprivation of Pay, or Stoppages of Pay to be enforced, mitigated, or remitted, as may be deemed expedient.

22. Any

Power to inflict Corporal Punishment.

22. Any Court-martial may sentence any Soldier to Corporal Punishment not extending to Life or Limb for Desertion, or for disgraceful Conduct, Misbehaviour, or Neglect of Duty, but no Sentence of Corporal Punishment awarded by a Regimental Court-martial shall, except in the Case of Mutiny or gross Insubordination herein-before mentioned, be put in execution in Time of Peace without the Leave in Writing of the General or other Officer commanding the District or Station in which the Court may be held; and no Sentence of Corporal Punishment shall exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

23. It shall be lawful for any General, District, or Garrison Court-martial, in addition to any Sentence of Corporal Punishment, to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Periods prescribed by the Articles of War.

Power to commute Corporal Punishment for Imprisonment, &c.

24. In all Cases in which Corporal Punishment shall form the whole or Part of the Sentence awarded by any Court-martial it shall be lawful for Her Majesty, or for the General or other Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, for any Period not exceeding Forty-two Days, with or without Hard Labour, and with or without Solitary Confinement, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment for any Period not exceeding Twenty Days, with or without Hard Labour, and with or without Solitary Confinement and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes, and the Solitary Confinement herein-before mentioned shall in no Case exceed Seven Days at a Time, with Intervals of not less than Seven Days between each Period of such Confinement.

Power to commute a Sentence of Cashiering.

25. It shall be lawful for Her Majesty in all Cases whatsoever, instead of causing a Sentence of Cashiering to be put in execution, to order the Offender to be reprimanded, or, in addition thereto, to suffer such Loss of Army or Regimental Rank, or both, as may be deemed expedient.

Marking Deserters, or Soldiers discharged with Ignominy.

26. On the first and on every subsequent Conviction for Desertion the Court-martial, in addition to any other Punishment, may order the Offender to be marked Two Inches below and One Inch in rear of the Nipple of the Left Breast with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be clearly seen, and not liable to be obliterated; a Court-martial recommending that an Offender be discharged with Ignominy

Ignominy may also recommend that he be marked on the Right Breast with the Letters B. C., and such Recommendation may legally be carried into effect by the General or other Officer empowered to confirm the Proceedings of the Court-martial.

27. A General, Garrison, or District Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, but such Solitary Confinement shall not exceed the Periods prescribed by the Articles of War; and any Regimental or Detachment Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and with or without Solitary Confinement not exceeding the Periods prescribed by the Articles of War.

Power of Imprisonment by different Kinds of Courts-martial.

28. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, the Court may award a Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial, to commence at the Expiration of the Imprisonment or Penal Servitude to which he shall have been so previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude respectively may exceed the Term for which any of those Punishments could be otherwise awarded.

As to Imprisonment of Offenders already under Sentence.

29. It shall be lawful for the Secretary of State for the War Department to set apart any Buildings now erected or which may hereafter be erected, or any Part or Parts thereof, as Military Prisons, and to declare that any Building or any Two or more Buildings shall be, and thenceforth such Building or Buildings shall be deemed and taken to be, a Military Prison; and every Military Prison which, under the Provisions of any former Act of Parliament, has been or which shall be so as aforesaid set apart and declared, shall be deemed to be a public Prison within the Meaning of this Act; and all and every the Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Military Prisons, belong to and may be exercised by the Secretary of State for the War Department; and it shall be lawful for the said Secretary of State from Time to Time to make, alter, and repeal Rules and Regulations for the Government and Superintendence of any such Military Prison, and of the Governor, Provost Marshal, Officers, and Servants thereof, and of the Offenders confined therein; and it shall be lawful for the said Secretary of State from Time to Time to appoint an Inspector General and Inspectors of Military Prisons, and a

Regulations as to Military Prisons.

Governor, or Provost Marshal, and all other necessary Officers and Servants for any such Military Prison, and, as Occasion may arise, to remove the Governor or Provost Marshal, Officer or Servant of any such Military Prison; and the General or other Officer commanding any District or Foreign Station within which may be any such Military Prison, or such General or other Officer, and such other Person or Persons as the said Secretary of State may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and the said Secretary of State may authorize any General Officer commanding on a Foreign Station to appoint periodically Visitors to any Military Prison within his Command; and the said Secretary of State shall transmit to the Visitor or Visitors of every Military Prison established by his Authority a Copy of the Rules and Regulations which are to be observed and enforced, and the same shall accordingly be observed and enforced, within such Prison; and every Inspector, Visitor, and Governor of any such Military Prison shall, subject to such Rules and Regulations as may from Time to Time be made by the said Secretary of State, have and exercise in respect of such Prison, and of the Governor, Officers, and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

As to the Custody of Military Offenders under Sentence of Court-martial and in other Cases.

30. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Offence of which he shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper

Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Soldier for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops.

As to the Removal or Discharge of Prisoners in certain Cases.

31. In the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than the Military Prisons set apart by the Authority of this Act, or in any Gaol or House of Correction in any Part of the United Kingdom, it shall be lawful for the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the District or Garrison in which such Prisoner may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment or Penal Servitude under the Sentence of a Court-martial in any public Prison other than such Military Prison as aforesaid, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the General commanding in chief or the Adjutant General of Her Majesty's Forces in the Case of any such Prisoner, and for the Commander-in-Chief in *India* in the Case of any Prisoner so confined in any Part of Her Majesty's *Indian* Dominions, and for the General commanding in chief in any Presidency in *India* in the Case of a Prisoner so therein confined, and for the Officer commanding in chief or the Officer who confirmed the Proceedings of the Court at any Foreign Station in the Case of a Prisoner so there confined, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in any Part of Her Majesty's Dominions, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or House of Correction either within the United Kingdom or elsewhere to some other Prison or Place either in the United Kingdom or elsewhere, the Officer who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler or Keeper of such other Prison or Place to receive such Prisoner into his Custody,

Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment or Penal Servitude under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, the Secretary of State for the War Department, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military Custody as may be lawfully exercised by any of the Military Authorities above mentioned in respect of any Prisoners undergoing Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly, on the Production of any such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence for whatever Purpose such Detention shall take place; and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Provision for Subsistence of Soldiers when imprisoned in Common Gaols.

32. The Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Soldier imprisoned therein under the Sentence of a Court-martial or as a Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Soldier, during the Period of his Imprisonment, in *Great Britain* and *Ireland* One Shilling *per Diem*, and in other Parts of Her Majesty's Dominions Sixpence *per Diem*, which the Secretary of State for the War Department shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of One Shilling or of Sixpence *per Diem*, as the Case may be,

be, shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed. In *India* the Expenses incurred under the Provisions of this Section shall be paid in the same Manner as the other Expenses of such Prison, or as may be provided by the Laws or Regulations to be made in that Behalf.

33. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to know or believe, that any Person in his Custody for any Offence, Civil or Military, is a Soldier liable to serve Her Majesty on the Expiration of his Imprisonment, shall forthwith, or as soon as may be, give, if in *Great Britain* to the Secretary of State for the War Department, and if in *Ireland* to the General commanding Her Majesty's Forces in *Ireland*, or if in *India* to the Adjutant General of the Army, or to the nearest Military Authority with whom it may be convenient to communicate, Notice of the Day and Hour on which the Imprisonment of such Person will expire; and every such Gaoler or Keeper is hereby required to use his best Endeavours to ascertain and report in all Cases where practicable the particular Regiment or Corps, Battalion of a Regiment or Battery of Artillery, to which such Soldier belongs, and also whether he belongs to the Depôt or the Head Quarters of his Regiment; and in the event of his being a Recruit who has not joined, it may be so stated in his Report, together with the Name of the Place where the Man enlisted. In all Cases where the Soldier in Custody is under Sentence to be discharged from the Service on the Completion of his Term of Imprisonment, and the Discharge Document is in the Hands of the Gaoler, such Gaoler shall not be required to make any Report thereof to the Secretary of State for War, or to the Military Authorities hereinbefore referred to.

Expiration of Imprisonment of Soldiers in Common Gaols.

34. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then for any Officer or Soldier in Her Majesty's Service, or other Person, to apprehend or cause to be apprehended such suspected Person, and forthwith to bring him or cause him to be brought before any Justice living in or near the Place where he was so apprehended and acting for the County or Borough wherein such Place is situate or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and from Time to Time to defer the said Inquiry and to remand the said suspected Person in the Manner prescribed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-two, Section Twenty-one, and subject to every Provision therein contained; and if it shall

Apprehension of Deserters in the United Kingdom.

appear

appear to the Satisfaction of such Justice by the Testimony of One or more Witnesses, taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence upon Oath or by the Knowledge of such Justice, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Regiment or Corps to which he belongs, if stationed within a convenient and easily accessible Distance from the Place of Commitment, or if not so stationed then to the nearest or most convenient public Prison (other than a Military Prison set apart under the Authority of this Act) or Police Station legally provided as a Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed, or not; or if the Deserter has been apprehended by a Party of Soldiers of his own Regiment or Corps in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account of the Proceedings, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of State for the War Department, specifying therein whether such Deserter was delivered to his Regiment or Corps, or to the Party of his Regiment or Corps, in order to his being taken to the Head Quarters or Depôt of his Regiment or Corps, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the Office of the said Secretary of State, and proceeded against according to Law; and such Justice shall also send to the said Secretary of State a Report stating the Names of the Persons by whom or by or through whose Means the Deserter was apprehended and secured; and the said Secretary of State shall transmit to such Justice an Order for the Payment to such Persons of such Sum not exceeding Forty Shillings as the said Secretary of State shall be satisfied they are entitled to according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who, in the Absence of a Military Medical Officer, may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of State for the War Department, and transmit also to the said Secretary of State a Copy of the Commitment, to the end that such

such Secretary of State may order Repayment of such Fees; and when any such Person shall be apprehended and committed as a Deserter in any Part of Her Majesty's Foreign Dominions the Justice shall forthwith cause him to be conveyed to some public Prison, if the Regiment or Corps to which he is suspected to belong shall not be in such Part, or, if the Regiment or Corps be in such Part, the Justice may deliver him into Custody at the nearest Military Post if within reasonable Distance, although the Regiment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the General or other Officer commanding a Descriptive Return in the Form prescribed in the Schedule to this Act annexed, to the end that such Person may be removed by Order of such Officer, and proceeded against according to Law; and such Descriptive Return, purporting to be duly made and subscribed in accordance with the Act, shall, in the Absence of Proof to the contrary, be deemed sufficient Evidence of the Facts and Matters therein stated: Provided always, that any such Person so committed as a Deserter in any Part of Her Majesty's Dominions shall, subject to the Provisions herein-after contained, be liable to be transferred by Order of the General or other Officer commanding to serve in any Regiment or Corps or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment or Corps to which Her Majesty may deem it desirable that he should be transferred, and shall also be liable after such Transfer of Service to be tried and punished as a Deserter.

In Her Majesty's Foreign Dominions.

Transfer of Deserters.

35. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, is hereby required to receive and confine therein every Deserter who shall be delivered into his Custody by any Soldier or other Person conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary of State for the War Department, which Order shall continue in force until the Deserter shall have arrived at his Destination; and such Gaoler or Keeper shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by Her Majesty's Regulations

As to the temporary Custody of Deserters in Gaols.

36. Any Recruit for Her Majesty's Army who, having been attested or received Pay other than Enlisting Money, shall desert before joining the Regiment or Corps for which he has enlisted, shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, forfeit his personal Bounty, and be liable to be transferred to any Regiment or Corps or Depôt nearest to

Desertion of Recruits prior to joining their Regiments or Corps.

to the Place where he shall have been apprehended, or to any other Regiment or Corps to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty except the Forfeiture of their personal Bounty.

Fraudulent Confession of Desertion.

37. Any Person who shall confess himself to be a Deserter from Her Majesty's Forces, or from the Embodied Militia, shall be liable to be taken before any Two Justices of the Peace acting for the County, District, City, Burgh, or Place where any such Person shall at any Time happen to be when he shall be brought before them, and on Proof that any such Confession as aforesaid was false, shall by the said Justices be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if elsewhere by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months; and if, when such Person shall be brought before the said Justices, it shall be proved to their Satisfaction that such Confession has been made, but Evidence of the Truth or Falsehood of such Confession shall not at that Time be forthcoming, such Justices within the United Kingdom are hereby required to remand such Person in the Manner herein-before mentioned, and to transmit a Statement of the Case to the Secretary of State for the War Department, with a Request to be informed whether such Person appears to belong or to have belonged to the Regiment or Corps from which he shall have so confessed himself to have deserted; and a Letter from the War Office in reply thereto, referring to such Statement, and purporting to be signed by or on behalf of the Secretary of State for the War Department, shall be admissible in Evidence against such Person, and shall be deemed to be legal Evidence of the Facts stated therein, and on the Receipt thereof the said Justices shall forthwith proceed to adjudicate upon the Case.

Furlough in case of Sickness.

38. When there shall not be any Military Officer of Rank not inferior to Captain, or any Adjutant of Regular Militia, within convenient Distance of the Place where any Non-commissioned Officer or Soldier on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall by Letter immediately certify such Extension and the Cause thereof to the Commanding Officer of the Corps or Detachment to which such Non-commissioned Officer or Soldier belongs, if known, and if not then to the Agent of the Regiment or Corps, in order that the proper Sum may be remitted to such Non-commissioned Officer or Soldier, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter:

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a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Soldier from Trial and Punishment, according to the Provisions of this Act, for any false Representation made by him in that Behalf to the said Justice, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

39. No Person subject to this Act, having been acquitted or convicted of any Crime or Offence by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be again convicted for the same Crime or Offence by a Court-martial, or to be punished for the same otherwise than by cashiering in the Case of a Commissioned Officer, or in the Case of a Warrant Officer by Reduction to an inferior Class or to the Rank of a Private Soldier by Order of the Commander-in-Chief, or in the Case of a Non-commissioned Officer by Reduction to the Ranks by Order of the Commander-in-Chief or of the Colonel, or in the Militia by Order of the appointed Commandant of the Regiment or Corps; and whenever any Officer or Soldier shall have been tried by any Court of ordinary Criminal Jurisdiction, the Clerk of such Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Regiment or Corps to which such Officer or Soldier shall belong, transmit to him a Certificate, setting forth the Offence of which the Prisoner was convicted, together with the Judgment of the Court thereon if such Officer or Soldier shall have been convicted, or of the Acquittal of such Officer or Soldier, and shall be allowed for such Certificate a Fee of Three Shillings.

No Person acquitted or convicted by the Civil Magistrate or by a Jury to be tried by a Court-martial for the same Offence.

40. Any Person attested for Her Majesty's Army, or serving on the permanent Staff of the Disembodied Militia or Volunteers other than as a Commissioned Officer, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony or of Misdemeanor, or of any Crime or Offence other than the Misdemeanor of absenting himself from his Service, or neglecting to fulfil his Contract, or otherwise misconducting himself respecting the same, or the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least, over and above all Costs of Suit, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such

Soldiers liable to be taken out of Her Majesty's Service only for Felony, Misdemeanor, or for Debts amounting to 30*l.* and upwards.

Soldiers not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Soldier or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatever, or to be taken out of Her Majesty's Service by any Writ, Summons, Warrant, Order, Judgment, Execution, or any Process whatsoever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Soldier or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order on that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour, or misconducting himself respecting the same, except in the Case of an Apprentice, or of an indentured Labourer, as herein-after described; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Soldier or other Person as aforesaid is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void, to all Intents and Purposes; and any Judge of any such Court may examine into any Complaint made by a Soldier or by his Superior Officer, and by Warrant under his Hand discharge such Soldier, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Soldier out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body or Military Necessaries or Equipments of such Soldier; provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who

who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, or to indentured Labourers, as herein-after prescribed.

41. No Person who shall be commissioned and in full Pay as an Officer shall be capable of being nominated or elected to be Sheriff of any County, Borough, or other Place, or to be Mayor, Portreeve, Alderman, or to hold any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland.*

Officers not to be Sheriffs or Mayors, &c.

42. Every Person authorized to enlist Recruits shall first ask the Person offering to enlist, whether he belongs to the Militia, and also such other Questions as the Military Authorities may direct to be put to Recruits, and shall immediately after giving him Enlisting Money serve him with a Notice in the Form set forth in the Schedule to this Act annexed.

Questions to be put to Recruits on enlisting.

43. Every Person who shall receive Enlisting Money in manner aforesaid, knowing it to be such, shall, subject to the Provisions herein-after contained, upon such Receipt be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted.

Recruits, when deemed to be enlisted.

44. Every Person so enlisted as aforesaid shall within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Army, in order that he may be attested by making the Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and upon such Appearance the Justice or some Person deputed by him shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions that are requisite for that Purpose, and cautioning him that if he should make any wilfully false Answer thereto, he will be liable to be punished as a Rogue and Vagabond.

When Recruits to be taken before a Justice.

45. When a Recruit upon appearing before a Justice for the Purposes aforesaid shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Inspecting Field Officer of the District, or in the Case of a Recruit enlisted at the Head Quarters or Depôt of a Regiment to the Officer commanding the same; but

Dissent and Relief from Enlistment.

but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless, upon Repayment of the Enlisting Money, and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he will be entitled to be discharged, and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary of State for the War Department and to the Inspecting Field Officer of the District, shall be paid over to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Attesting of Recruits.

46. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration, and taken the said Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested; and the Fee for such Attestation, including the Declaration and Oath, shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits, until they have been attested or received Pay, not triable by Court-martial, but in certain Cases punishable as Rogues and Vagabonds.

47. No Recruit, unless he shall have been attested or shall have received Pay other than Enlisting Money, shall be liable to be tried by Court-martial; but if any Recruit, previously to his being attested, shall by means of any false Answer obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or, having dissented from his Enlistment, shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices within the United Kingdom, or for any One Justice out of the United Kingdom, acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be, to adjudge such Recruit, when he shall be brought before them or him, if in *England*, to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland*, or elsewhere

elsewhere in Her Majesty's Dominions, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months; and the Declaration made by the Recruit on his Attestation purporting to be made and subscribed in accordance with the Schedule to this Act annexed shall, in the Absence of Proof to the contrary, be deemed sufficient Evidence of such Recruit having represented the several Particulars as stated in such Declaration.

Attested Recruits triable in some Cases either before Two Justices or before a Court-martial.

48. Any Recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable, at the Discretion of the proper Military Authorities, to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Recruits absconding.

49. If any Recruit shall abscond, so that it is not possible immediately to apprehend and bring him before a Justice for Attestation, the Recruiting Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for that Purpose a Certificate of the Name and Place of Residence, and Description of such Recruit, and of his having absconded, and shall declare the same to be true; and the Justice to whom such Certificate shall be produced shall transmit a Duplicate thereof to the Secretary of State for the War Department, in order that the same may appear in the *Police Gazette*.

As to Militiamen enlisting into Regular Forces.

50. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Army, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for the War Department, on the Confession thereof by such Man, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, to be applied as the said Secretary of State shall direct, and further to determine whether such Man shall be returned to his Militia Regiment after such Sum shall have been made good, or shall be deemed to be a Soldier, in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation, in which latter Case his Service as a Soldier shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired: Provided that if the Regiment of Militia from which the Man has deserted be within the United Kingdom the Secretary of State for the War Department shall not make such Order without the Consent of the Commanding Officer of such Regiment. If any

Non-commissioned Officer of the Volunteer Permanent Staff enlists in Her Majesty's Army he may be tried and punished as a Deserter, but if he confesses his Desertion the Secretary of State for the War Department, instead of causing him to be tried and punished as a Deserter, may cause him to be returned to his Service on the Volunteer Permanent Staff, to be there put under Stoppages from his Pay until he has repaid the Amount of any Bounty received by him and the Expenses attending his Enlistment, and also the Value of any Arms, &c. issued to him while on the Volunteer Permanent Staff and not duly delivered up by him; or may cause him to be held to his Service in Her Majesty's Army, with a Direction, if it seems fit, that his Time of Service therein shall not be reckoned for Pension until the Time when his Engagement on the Volunteer Permanent Staff would have expired; and may further cause him to be put under Stoppages of One Penny a Day of his Pay until he has repaid the Expense attending his Engagement or Attestation on the Volunteer Permanent Staff, and also the Value of any Arms, Clothing, or Appointments issued to him while on the Volunteer Permanent Staff and not duly delivered up by him.

Punishment of Persons offending against Laws relating to Enlistment.

51. Every Person subject to this Act who shall wilfully act contrary to any of its Provisions in any Matter relating to the enlisting or attesting of Recruits for Her Majesty's Army shall be liable to be tried for such Offence before a General, District, or Garrison Court-martial, and to be sentenced to such Punishments other than Death or Penal Servitude as such Courts may award.

Enlistment and Re-enlistment, and Transfer to another Corps abroad.

52. It shall be lawful for any Justice of the Peace or Person exercising the Office of a Magistrate within any of Her Majesty's Dominions abroad, or in any Colony for any other Person duly authorized in that Behalf by the Governor or Officer administering the Government of such Colony, or in Her Majesty's Dominions in *India* for any Person duly authorized in that Behalf by the Governor General or Lieutenant Governor or other Officer administering the Government of any Presidency, Division, or Province, or within the Territories of any Foreign State in *India* for the Person performing the Duties of the Office of *British* Resident therein, or for any other Person duly authorized in that Behalf by the Governor General, to enlist and attest or to re-engage within the local Limits of their several Authorities any Soldiers or Persons desirous of enlisting or re-engaging in Her Majesty's Army; and any such Magistrate or Person as aforesaid shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; but no such Magistrate or other Person authorized to enlist and attest as above mentioned shall be a General Officer or hold any Regimental Commission; and all such Appointments,

ments, past and future, and everything done or to be done under them, shall be valid and of full Effect, notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so attested shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier.

Soldiers may be transferred from one Service to another.

53. It shall be lawful for the Commander-in-Chief, or for any Officer authorized by him in that Behalf, to direct that any Soldier attested for any one Branch of the Service shall, on the Application of his Commanding Officer, and with his own Consent, be transferred to some other Branch of the Service, or to some other Regiment or Corps in the same Branch of the Service, either within the United Kingdom or elsewhere; and every Soldier so transferred shall be deemed to be discharged from his former Corps, and shall have a Certificate of Transfer delivered to him; but any Soldier attested for the Infantry, and at his own Request transferred to the Cavalry, Artillery, or Engineers, shall be bound to serve for the full Term of such Service as if originally enlisted therein, and any Soldier at his own Request transferred from either of such before-mentioned Services to the Infantry shall be liable to serve for the Term of his original Enlistment: Provided always, that any Soldier who may have volunteered for the Corps of Armourer Sergeants, or for the Army Hospital Corps, shall be liable, by Order of the Military Authorities above mentioned, to be re-transferred to his former Corps, or to any other Corps on the Station on which he is serving at the Time, for Misconduct, Unfitness, or any other reasonable Cause.

Re-engagement of Soldiers for a further Term.

54. Any Soldier at any Time during the last Six Months of the Term of limited Service for which he shall have first engaged, or after the Completion of such Term, with the Consent of his Commanding Officer, or any Person having been a Soldier, and having received his Discharge, may, if approved by competent Military Authority as a fit Person for Her Majesty's Service, be re-engaged to serve for the further Term of Eleven Years in the Infantry, and Twelve Years in the Cavalry, and Nine Years in the Artillery or Engineers, upon making a Declaration, in the Form given in the Schedule annexed to this Act, before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or if not in *Great Britain* or *Ireland* before any Person duly appointed to enlist and attest out of *Great Britain* and *Ireland* any Soldiers or Persons desirous of enlisting or re-engaging in

in Her Majesty's Service; and on the Expiration of the Second Term of limited Service for which any Soldier shall have engaged, the said Second Term of limited Service may be prolonged for such further Time, not exceeding Two Years, as shall be directed by the Commanding Officer of the Station where such Soldier may be at the Time of the Expiration of such Service; and any Soldier who shall give Notice to his Commanding Officer, after completing his Second Term of limited Service, that he is desirous of continuing in Her Majesty's Service, and being approved by competent Military Authority, may be continued in such Service as a Soldier so long as he shall desire to be so continued, and until the Expiration of Three Calendar Months after he shall have given Notice to his Commanding Officer of his Wish to be discharged, and for that Purpose shall be considered in all respects during such Time as if his Term of Service were still unexpired: Provided always, that in reckoning Service under the original Enlistment or Re-engagement of a Soldier the Boon Service granted by the Governor-General of *India*, dated Twelfth of *October* One thousand eight hundred and fifty-nine, shall be reckoned as actual Service, and allowed towards Pension and Discharge.

Enlistment of Negroes.

55. All Negroes or Persons of Colour who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted into Her Majesty's Service, shall, while serving, be deemed to be Soldiers legally enlisted into Her Majesty's Service, and be entitled to all the Privileges of natural-born Subjects; and all Negroes who have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Army, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Soldiers in any of Her Majesty's Colonial Forces.

Apprentice enlisting to be liable to serve after the Expiration of his Apprenticeship.

56. Any Person duly bound as an Apprentice in *Great Britain* or *Ireland*, or as an indentured Labourer in any of Her Majesty's Colonies or Possessions abroad, who shall enlist as a Soldier in Her Majesty's Army, and shall falsely state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice or indentured Labourer as aforesaid, shall be deemed guilty of obtaining Money under false Pretences, if in *England* or in *Ireland*, or in the Colonies or Possessions aforesaid, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, or of his Indenture as a Labourer, whether he shall have been so convicted and punished or not, be liable to serve as a Soldier in Her Majesty's Army, according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship, or of his Indenture as a Labourer, he shall not deliver himself up to some Officer authorized

to

to receive Recruits, such Person may be taken as a Deserter from Her Majesty's Army; and no Master shall be entitled to claim an Apprentice or an indentured Labourer as aforesaid who shall enlist as a Soldier in Her Majesty's Army, or shall be serving in the Embodied Militia, unless he shall, within One Calendar Month after such Apprentice or indentured Labourer shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and shall produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed, and unless such Apprentice shall have been bound, if in *England*, for the full Term of Five Years, not having been above the Age of Fourteen when so bound, and if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture was so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service, or of any indentured Labourer in Her Majesty's Colonies or Possessions abroad, shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice or indentured Labourer may have been bound for a less Term than Five or Four Years as aforesaid: Provided also, that any Master who shall give up the Indentures of his Apprentice or of his Labourer as aforesaid within One Month after the enlisting of such Apprentice or indentured Labourer shall be entitled to receive to his own Use so much of the Bounty payable to such Recruit as shall not have been paid to such Recruit before Notice given of his being an Apprentice or an indentured Labourer.

Claims of Masters to Apprentices.

57. No Apprentice or indentured Labourer claimed by his Master as aforesaid shall be taken from any Corps or Recruiting Party, except under a Warrant of a Justice residing near, and within whose Jurisdiction such Apprentice or indentured Labourer shall then happen to be, before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath, which Oath he

Punishment of Apprentices enlisting.

he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice or indentured Labourer; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the County, Division, or Place for which such Justice is acting, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of such County, Division, or Place, unless the Court shall for just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justice that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice or indentured Labourer may deliver him to his Master.

Removal of Doubts as to Attestation of Soldiers.

58. No Person who shall, for Six Months either before or after the passing of this Act, have received Pay and been borne on the Strength and Pay List of any Regiment or Corps, or Depôt or Battalion of a Regiment or Corps (of which the last Quarterly Pay List, if produced, shall be Evidence), shall be entitled to claim his Discharge on the Ground of Error or Illegality in his Enlistment or Attestation, or on any other Ground whatsoever, but, on the contrary, every such Person shall be deemed to have been duly enlisted and attested.

Authorized Deductions only to be made from the Pay of the Army.

59. No Secretary of State for the War Department, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or any of their under Officers, shall receive any Fees or make any Deductions whatsoever, out of the Pay of any Officer or Soldier in Her Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and sixty-three, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be authorized or required by Her Majesty's Regulations or Articles of War, or by Statute Twenty-six and Twenty-seven *Victoria*, Chapter Sixty-five, Section Eight (Volunteer Act), or by Her Majesty's Order signified by the Secretary of State for the War Department; and every Paymaster or other Officer who having received any Officer's or Soldier's Pay shall unlawfully detain the same for the Space of One Month, or refuse

refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by Her Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, shall, if he demand it, be discharged from any further Service.

Suspending Operation of certain Acts herein recited.

60. And whereas by Petition of Right in the Third Year of King *Charles* the First it is enacted and declared, that the People of the Land are not by the Laws to be burdened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the Parliament of *England*, made in the Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Threepence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whosoever, should thenceforth presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billeting whatsoever: And whereas by an Act passed in the Parliament of *Ireland* in the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, Section Eight, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, nor any Yeoman of the Guard or Battle-axes, nor any Officer commanding the said Yeomen, nor any Servant of any such Officer, should at any Time thereafter have received or be allowed any Quarters in any Part of *Ireland*, save only during such Time or Times as he or they should be on their March as in the same Act is before mentioned, or during such Time as he or they should be and remain in some Seaport Town or other Place in the Neighbourhood of a Seaport Town in order to be transported, or during such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency the Army, or any considerable Part thereof, should be commanded to march from one Part of *Ireland* to another: But forasmuch as there is and may be Occasion for the marching and quartering of Regiments, Corps, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, the said several Provisions of the said recited Acts shall be suspended and cease to be of any Force or Effect during the Continuance of this Act.

6 Anne, c. 14. s. 8. (I.)

Certain Requirements of 6 Anne, c. 14. (I.), as

61. And whereas by the Eleventh Section of the said Act of the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, it is provided

to billeting in Ireland. not now necessary.

vided and enacted, that no Civil Magistrate or Constable should be obliged to find Quarters for or give Billets to more or other Soldiers than those only whose true Christian and Surnames should be delivered to him in Writing under the Hand of the Officer desiring Quarters or Billets for such Soldiers at the Time such Quarters or Billets should be desired, and that all such Names should be written together and delivered in One Piece of Paper, signed as aforesaid, and that the Christian and Surnames of every Soldier to be quartered or billeted, together with the Name of the Person on whom he or they should be billeted or quartered, should be given in Writing by the Constable or Civil Officer billeting or quartering such Soldier, and be contained in the Billet given by such Civil Officer: And whereas it has been found inconvenient and difficult to comply with all the Requirements of the said Enactment: It shall not be necessary, so long as this Act shall continue in force, for any Officer, upon the Occasion of his requiring Quarters or Billets for any Soldiers in *Ireland*, to deliver to the Constable or other Person whose Duty it shall be to find or give the same any List of the Names of the Soldiers to be so quartered or billeted; and it shall not be necessary for the Constable or other such Person as aforesaid to set forth in any Billet the Name of any Soldier to be billeted or quartered, but only the Number of the Soldiers, or the Number of the Soldiers and Horses respectively, as the Case may require, to be billeted or quartered on the Person named in the Billet, and to whom the same shall be addressed.

How and where Troops may be billeted.

62. It shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *Great Britain* and *Ireland*, and they are hereby required, to billet the Officers and Soldiers in Her Majesty's Service, and Out-pensioners when assembled as a local Force by competent Authority, and Persons receiving Pay in Her Majesty's Army, and the Horses belonging to Her Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of Her Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in One House, except only in case of billeting Cavalry as specially provided); and they shall be received by the Occupiers of the Houses in which they are so billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *Great Britain* shall also be furnished with Diet and Small Beer, and in *Great Britain* and *Ireland* with Stables, Oats, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-

herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route, Care being always taken that Billets be made out for the less distant Houses, in which suitable Accommodation can be found, before making out Billets for the more distant; and in all Places where Cavalry shall be billeted in pursuance of this Act, each Man and his Horse shall be billeted in One and the same House, except in case of Necessity; and, except in case of Necessity, One Man at least shall be billeted where there shall be One or Two Horses, and Two Men at least where there shall be Four Horses, and so in proportion for a greater Number; and in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March, in the Manner required by this Act, upon the Occupiers of all Houses within One Mile of the Place mentioned in the Route, and whether they be in the same or in a different County, in like Manner in every respect as if such Houses were all locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and shall undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice then to Two or more Justices within whose Jurisdiction such Soldiers are billeted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons, as they shall see Cause; and when any of Her Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Corps, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables and who are by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men or Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justices to order a proper

Allowance to be paid by the Person relieved to the Persons receiving such Men and Horses or to be applied in furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billeted in any Place, with another Man or Horse billeted in the same Place, for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses respectively; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Routes or to enlarge the Districts within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to the Houses: Provided always, that no Officer shall be compelled or compellable to pay anything for his Lodging, where he shall be duly billeted.

Billeting the Guards in and near Westminster.

63. The Officers and Soldiers of Her Majesty's Foot Guards shall be billeted within the City and Liberties of *Westminster* and Places adjacent, lying in the County of *Middlesex* (except the City of *London*) and in the County of *Surrey*, and in the Borough of *Southwark*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act; and the High Constables shall, on Receipt of the Order for billeting Soldiers, deliver Precepts to the several Constables within their respective Divisions, in pursuance of which the said Constables shall billet such Officers and Soldiers equally and proportionably on the Houses subjected thereto by this Act; and the said Constables shall, at every General Sessions of the Peace to be holden for the said City and Liberties, Counties and Borough respectively, make and deliver to the Justices then in open Session assembled, upon Oath, which Oath the said Justices are hereby required to administer, Lists, signed by them respectively, of the Houses subject by this Act to receive Officers and Soldiers, together with the Names and Rank of all Officers and Soldiers billeted on each respectively, which Lists shall remain with the respective Clerks of the Peace, for the Inspection of all Persons, without Fee or Reward; and such Clerk shall forthwith from Time to Time deliver to any Persons who shall require the same true Copies of any such Lists, upon being paid Twopence *per* Sheet for the

the same, each Sheet to contain at the least One hundred and fifty Words.

64. No Justice having or executing any Military Office or Commission in any Part of the United Kingdom shall, directly or indirectly, be concerned in the billeting or appointing Quarters for any Soldier in the Regiment, Corps, Troop, or Company under the immediate Command of such Justice, and all Warrants, Acts, and Things made, done, and appointed by such Justice for or concerning the same shall be void.

Military Officers not to act as Justices in billeting.

65. The Innholder or other Person on whom any Soldier is billeted in *Great Britain* shall, if required by such Soldier, furnish him for every Day of the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence, and Twopence Halfpenny for a Bed; and all Innholders and other Persons on whom Soldiers may be billeted in *Great Britain* or *Ireland*, except when on the March in *Great Britain* and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldiers with a Bed and with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of Fourpence *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *Great Britain* or *Ireland*, for Ten Pounds of Oats, Twelve Pounds of Hay, and Eight Pounds of Straw, shall be One Shilling and Ninepence *per Diem* for each Horse; and every Officer or Non-commissioned Officer commanding a Regiment, Detachment, or Party, shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle and discharge the just Demands of all Victuallers or other Persons upon whom such Officers, Soldiers, or Horses are billeted, out of the Pay and Subsistence of such Officers and Soldiers, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer or Non-commissioned Officer shall not pay the same as aforesaid, then, upon Complaint, and Oath made thereof by any Two Witnesses before Two Justices of the

Allowance to Innkeepers.

the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situated, sitting in Quarter or Petty Sessions, the Secretary of State for the War Department is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Agent of the Regiment or Corps to pay the Sums due to such Victuallers or other Persons as aforesaid, and to charge the same against such Officers; and in case any Soldier be suddenly ordered to march, and the respective Commanding Officers or Non-commissioned Officers are not enabled to make Payment of the Sums due for the Lodging or Victualling of the Men and Stabling or Forage for the Horses, every such Officer or Non-commissioned Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted by such Officer or Non-commissioned Officer to the Agent of the Regiment or Corps, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer or Non-commissioned Officer.

Interpretation of Act.

66. All Powers and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Powers and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billeting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and to all Inspectors or other Officers of Police, and to High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act in relation to billeting; and all Powers and Provisions for billeting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Hotels, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drunk in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Spirits, Strong Waters, Cider, or Metheglin, by Retail, in *Great Britain* and *Ireland*; and in *Ireland*, when there shall not be found sufficient Room in such Houses, then to billeting Soldiers in such Manner as has been heretofore customary: Provided that no Officer or Soldier shall be billeted in *Great Britain* in

Powers and Regulations as to Billets.

Exemptions from Billets.

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in any private Houses, or in any Canteen held or occupied under the Authority of the War Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Supply of Carriages.

67. For the regular Provision of Carriages for Her Majesty's Forces, and their Baggage, in their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by an Order from Her Majesty, or the General of Her Forces, or other Person duly authorized in that Behalf, shall, on Production to them of such Order, or a Copy thereof certified by the Commanding Officer, by some Officer or Non-commissioned Officer of the Regiment or Corps so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which the Troop shall be ordered to march, (for each of which Warrants the Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, and Oxen, and Drivers therein mentioned, and allowing sufficient Time to do the same, specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed a Day's March prescribed in the Order of Route, and shall in no Cases exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and when sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice near the Place where Troops may be quartered on the March, any Justice residing nearest to such Place may cause a List to be made out once in every Year of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open to the Inspection of the said Persons,) and may by Warrant under his Hand authorize the Constable within his Jurisdiction to

give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, as far as the same can be done.

Rates to be paid for Carriages, and Regulations relating thereto.

68. In every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *Great Britain*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundredweight, shall travel, Ninepence; and for every Mile any other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundredweight, shall travel, Sixpence; and in *Ireland*, for every Hundredweight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and in *Great Britain* such further Rates may be added, not exceeding a total Addition *per* Mile of Fourpence, Threepence, or Twopence, to the respective Rates of One Shilling, Ninepence, or Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts, or to the Recorder at the Sessions of the Peace of any Municipal City, Borough, or Town; and the Order of such Justices or Recorder shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary of State for the War Department within Three Days after the making thereof; and also in *Great Britain* when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when any additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding as his Voucher; and the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *Great Britain*, pay the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and in *Ireland* the Officers or Non-commissioned Officers as aforesaid shall pay the proper Sums to the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made,

made, if required, in the Presence of a Justice or Constable; and no Carriage shall be liable to carry more than Thirty Hundredweight in *Great Britain*, and in *Ireland* no Car shall be liable to carry more than Six Hundredweight, and no Dray more than Twelve Hundredweight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundredweight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Threepence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expense of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance to Her Majesty's Service; provided that a Cart with One or more Horses for which the Furnisher shall receive Ninepence a Mile shall be required to carry Fifteen Hundredweight at the least; and no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses and Oxen, or Weight of Loading of the aforesaid Carriages, which shall not on that Account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Soldiers from *Dublin* at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of the Army on any Pretence whatsoever.

As to Supply of Carriages in Cases of Emergency, &c.

69. It shall be lawful for Her Majesty, or for the Lord Lieutenant or Chief Governor of *Ireland*, by Her or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary of State for the War Department, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding Her Majesty's Forces in any District or Place, or the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand reciting such Order of Her Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *Great Britain* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises,

Postchaises, Chaises, and other Four-wheeled Carriages, kept for Hire, and of all Horses kept to draw Carriages licensed to carry Passengers, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, or by any Officer of the War Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on such Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act, as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon, not only the Baggage, Provisions, and Military Stores of such Regiment, Corps, or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same.

Justices empowered to reimburse Constables for Sums expended by them.

70. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and the Condition of the Ways by which such Carriages and Vessels are to pass; and in *Scotland* such Justices shall direct such Payments to be made out of the Rogue Money and Assessments directed and authorized to be assessed and levied by an Act of the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Seventy-two.

Routes in Ireland.

71. It shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his

his Hand and Seal, some proper Person to sign Routes in Cases of Emergency, for the marching of any of Her Majesty's Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Tolls.

72. All Her Majesty's Officers and Soldiers, on Duty or on their March, and their Horses and Baggage, and all Recruits marching by Route, and all Prisoners under Military Escort, and all enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying any such Persons as aforesaid, or their Baggage, or returning from conveying the same, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or in passing along or over any Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Ferries.

73. When any Soldiers on Service have Occasion in their March by Route to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in all such Cases pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

74. Every Soldier entitled to his Discharge shall, if then serving abroad, be sent, if he shall so require, to *Great Britain* or *Ireland* free of Expense, and shall be entitled to receive Marching Money from the Place of his being landed (or, if discharged at home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place in which he shall have been originally enlisted, or at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment.

75. Nothing

Ordinary Course of Criminal Justice not to be interfered with.

Punishment of Officers obstructing Civil Justice.

75. Nothing in this Act contained shall be construed to extend to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law, when accused of Felony, or of Misdemeanor, or of any Crime or Offence other than the Misdemeanors and Offences herein-before mentioned; and if any Commanding Officer shall neglect or refuse, on Application being made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier under his Command, or shall wilfully obstruct, neglect, or refuse to assist the Officers of Justice in apprehending any Officer or Soldier under his Command, so accused as aforesaid, such Commanding Officer shall, upon Conviction thereof in any of Her Majesty's Superior Courts at *Westminster*, *Dublin*, or *Edinburgh*, or in any Court of Record in *India*, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any Civil or Military Office or Employment in the United Kingdom of *Great Britain* and *Ireland* or in Her Majesty's Service; and a Certificate of such Conviction, containing the Substance and Effect of the Indictment only, omitting the formal Part, with the Copy of the Entry of the Judgment of the Court thereon, shall be transmitted to the Judge Advocate General in *London*.

Penalty for Disobedience by Agents.

76. For enforcing a prompt Observance of the Rules and Orders for the due Appropriation of the Public Funds applicable to Army Services, and in order that a true and regular Account may be kept and rendered by the Agents for the several Corps, the said Agents are hereby required to observe such Orders as shall from Time to Time be given by Her Majesty under Her Sign Manual, or by the Secretary of State for the War Department, or by Her Majesty's Lord Lieutenant or Chief Governor of *Ireland*, or by the Lord Treasurer or the Commissioners of Her Majesty's Treasury; and if any Person, being or having been an Agent, shall refuse or neglect to comply with such Orders in relation to his Duty as Agent, or shall unlawfully withhold or detain the Pay of any Officer or Soldier for a longer Period than the Space of One Month after the Receipt thereof, he shall for the First Offence forfeit the Sum of One hundred Pounds, and if still an Agent, for the Second Offence be discharged from his Employment as an Army Agent, and be utterly disabled to have or hold such Employment thereafter, or, if he have ceased to be an Army Agent, shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds.

Penalty on trafficking in Commissions.

77. Every Person, not being an authorized Army Agent, who shall negotiate or act as Agent for or in relation to the Purchase, Sale, or Exchange of any Commission in Her Majesty's Army, shall forfeit

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forfeit for every such Offence the Sum of One hundred Pounds; and every Person, whether authorized as an Army Agent or not, who shall receive any Money or Reward in respect of any such Purchase, Sale, or Exchange, or who shall negotiate or receive for any Purpose whatsoever any Money or Consideration where no Price is allowed by Her Majesty's Regulations, or any Money or Consideration exceeding the Amount so allowed, shall forfeit One hundred Pounds and treble the Value of the Consideration where the Commission is not allowed to be sold, or treble the Excess of such Consideration beyond the regular Price.

Penalty for procuring false Musters.

78. Every Person, not having any Military Commission, who shall give or procure to be given any untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster or any other Service which he ought to attend or perform, or who shall directly or indirectly cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, shall forfeit for every such Offence the Sum of Fifty Pounds; and any Person who shall falsely be mustered, or offer himself to be mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Conviction before some Justice of the Peace residing near the Place where such Muster shall be made, forfeit for every such Offence the Sum of Twenty Pounds, and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged.

Penalty on unlawful recruiting.

79. Every Person (except such Person or Persons as shall be authorized by Beating Order under the Hand of the Secretary of State for the War Department) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, Embodied Militia, or Her Majesty's *Indian* Forces, or shall open or keep any House, Place of Rendezvous, or Office, or receive any Person therein under such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Secretary of State in Council of *India*, (as the Case may be,) shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalty for inducing Soldiers to desert.

80. Any Person who shall in any Part of Her Majesty's Dominions, or by any Means whatsoever, directly or indirectly, procure any Soldier to desert, or attempt to procure or persuade any Soldier to desert, and any Person, who, knowing that any Soldier is about to desert, shall aid or assist him in deserting, or, knowing any Soldier to be a Deserter, shall conceal such Deserter, or aid or assist such

such Deserter in concealing himself, or aid or assist in his Rescue, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof, before any Two Justices acting for the County, District, City, Burgh, or Place where any such Offender shall at any Time happen to be, be liable to be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justices shall think fit.

Penalty for forcible Entry in pursuit of Deserters without Warrant.

81. Any Officer or Soldier who shall, in pursuit of any Deserter, forcibly enter into or break open any Dwelling House or Outhouse, or shall give any Order under which any Dwelling House or Outhouse shall be forcibly entered into or broken open, without a Warrant from One or more Justices of the Peace, shall, on Conviction thereof before Two Justices of the Peace, forfeit a Sum not exceeding Twenty Pounds.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

82. If any Person shall convey or cause to be conveyed into any Military Prison appointed to be a public Prison under this Act any Arms, Tools, or Instruments, or any Mask or other Disguise, in order to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be kept to Penal Servitude for any Term not less than Four Years and not exceeding Six Years, or be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the existing Rules thereof, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds, or to be imprisoned, with or without Hard Labour, for any Time not exceeding Three Calendar Months; and if any Person shall bring into such Prison, to or for any Prisoner, without the Knowledge of the Governor, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or any other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner, without the Sanction of the Governor, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned, either with or without Hard Labour, for any Time not exceeding One Calendar Month; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence

Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned, with or without Hard Labour, for any Time not exceeding One Calendar Month, or, if the Offender be a Soldier already under Sentence of Imprisonment, he shall be liable for every such Offence, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, to be imprisoned, either with or without Hard Labour, for any Time not exceeding Six Calendar Months, in addition to his original Sentence, or to be subjected to Corporal Punishment not exceeding Fifty Lashes, or upon Conviction thereof by a single Visitor to be imprisoned, with or without Hard Labour, for any Time not exceeding Seventy-two Hours, in addition to his original Sentence, or to be subjected to Corporal Punishment not exceeding Twenty-five Lashes; or if such Soldier shall, within Forty-eight Hours of the Expiration of his original or of any additional Sentence, be guilty of any Offence against the Rules of the Prison, he may for every such Offence, on Conviction thereof by a Board or by a single Visitor, be ordered to be kept in Prison for a Period not exceeding Seventy-two Hours in either a dark or light Cell, and with or without Hard Labour or Solitary Confinement, on a Bread and Water Diet, or otherwise; and all the Provisions of any Act or Acts of Parliament for the Regulation or better ordering of Gaols, Houses of Correction, or Prisons in *Great Britain* shall be deemed to apply to all Military Prisons so far as any such Provision relates to such Offences; and it shall be lawful for the Governor, Provost Marshal, Officer, or Servant of any Military Prison to use and exercise all the Powers and Authorities given by any such Act to the Gaoler, Keeper, or Turnkey of any Prison, or to his or their Assistants, to apprehend or to cause Offenders to be apprehended, in order to their being taken before a Justice or Justices of the Peace; and all the Powers and Authorities given by any such Act to any Justice or Justices of the Peace to convict Offenders in any of the above Cases, together with the Forms of Convictions contained in any such Act, shall be applicable to the like Offences when committed in respect of Military Prisons; and all the Provisions contained in any such Act relating to Suits and Actions prosecuted against any Person for anything done in pursuance of such Act shall be deemed to apply to all Suits and Actions prosecuted against any Person acting in pursuance of such Act in respect of Military Prisons.

Certain Provisions of Acts for regulating Gaols to apply to Military Prisons.

83. Any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Military Offender in the Manner herein-before prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Penalty on Keepers of Prisons for refusing to confine, &c Military Offenders.

84. Any

Mutiny.

Penalty on purchasing Soldiers Necessaries, Stores, &c.

84. Any Person who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter or any other Person acting for or on his Behalf, on any Pretence whatsoever, or who shall solicit or entice any Soldier, or shall be employed by any Soldier, knowing him to be such, to sell any Arms, Ammunition, Medals for good Conduct or for Distinguishment or other Service, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks provided under Barrack Regulations, or Regimental Necessaries, or any Article of Forage provided for any Horses belonging to Her Majesty's Service, or who shall have in his or her Possession or Keeping any such Arms, Ammunition, Medals, Clothes, Furniture, Provisions, Spirits, Articles, Necessaries, or Forage, and shall not give a satisfactory Account how he or she came by the same, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with treble the Value of all or any of the several Articles of which such Offender shall so become or be possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, he shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall in addition to such Forfeiture be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term, not exceeding Six Calendar Months, as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the former Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove such former Conviction; and if any credible Person shall prove on Oath before a Justice of the Peace, or Person exercising like Authority according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, such Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods; and if upon such Search any such Property shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before the same or any other Justice of the Peace, to be dealt with according to Law: Provided always, that it shall be lawful for the Legislature of any of Her Majesty's Foreign Dominions, on the Recommendation of the Officer or Officers for the Time being administering the Government thereof,

thereof, but not otherwise, to make Provision by Law for reducing such pecuniary Penalty, if not exceeding Twenty Pounds, to such Amount as may to such Legislature appear to be better adapted to the Ability and pecuniary Means of Her Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the full Penalty hereby imposed: Provided also, that it shall be competent to Her Majesty, or to the Person or Persons administering the Government of any such Foreign Dominions as aforesaid, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in Her Majesty or in any such Officer or Officers as aforesaid in respect of any other Law made or enacted by any such Legislature.

Penalties on Civil Subjects offending against the Laws relating to Billets.

85. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officers or Soldiers, in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall wilfully cause to be delivered defective Lists of the same; or if any Person liable by this Act to have any Officer or Soldier quartered upon him shall refuse to receive and to afford proper Accommodation or Diet in the House in which such Officer or Soldier is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Oats, Hay, and Straw in *Great Britain* and *Ireland* for each Horse,

Horse, in such Quantities and at such Rates as herein-before provided; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; or if any Toll Collector shall demand and receive Toll from any of Her Majesty's Officers or Soldiers, on Duty or on their March, for themselves or for their Horses, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or from any enrolled Pensioners in Uniform, when called out for Training or in aid of the Civil Power, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage or returning therefrom, every such Constable, Victualler, Toll Keeper, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Soldier or a Recruit, with the view of fraudulently obtaining a Billet, or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

On Toll Collectors demanding Toll from Officers, Soldiers, or for Carriages;

and on Persons personating Soldiers, &c.

Penalties on the Military offending against the Laws relating to Billets.

86. If any Military Officer shall take upon himself to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayor, Constable, or other Civil Officer, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or tending to induce any of them to do anything contrary to their said Duty, such Officer shall for every such Offence (being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses) be deemed and taken to be thereupon cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided that a Certificate of such Conviction shall be transmitted by One of the said Justices to the Judge Advocate in *London*, who is hereby required to certify the same to the Commander-in-Chief and Secretary of State for the War Department, and that the said Conviction be affirmed at some Quarter Sessions of the Peace of the said County held next after the Expiration of Three Months after such Certificate of the Justice shall have been transmitted as aforesaid; and if any Military Officer shall take, or knowingly suffer to be taken, from any Person, any Money or Reward for excusing the quartering of Officers or Soldiers, or shall billet

billet any of the Wives, Children, Men or Maid Servants of any Officer or Soldier, in any House, against the Consent of the Occupier, he shall, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Soldier or Servant (except such as are sick) or any Woman to ride therein, except in the Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same can be done within reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, such Officer shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on killing Game without Leave.

87. For the better Preservation of Game and Fish in or near Places where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish in the United Kingdom of *Great Britain* and *Ireland*, shall for every such Offence forfeit the Sum of Five Pounds.

Form of Actions at Law.

88. Any Action which shall be brought against any Person for anything to be done in pursuance of this Act shall be brought within Six Calendar Months after the doing thereof, and it shall be lawful for every such Person to plead thereunto the General Issue Not Guilty, and to give all special Matter in Evidence to the Jury; and if the Verdict shall be for the Defendant in any such Action, or the Plaintiff therein become nonsuited, or suffer any Discontinuance thereof, or if in *Scotland* such Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the said Matter shall be tried shall allow unto the Defendant Treble Costs, for which the said Defendant shall have the like Remedy as in other Cases where Costs are by Law given to Defendants; and every Action against any Person for anything done in pursuance of this Act, or against any Member or Minister of a Court-martial in respect of any Sentence of such Court, or of anything done by virtue or in pursuance of such Sentence, shall be brought in some One of the

Courts of Record at *Westminster*, or in *Dublin*, or in *India*, or in the Court of Session in *Scotland*, and in no other Court whatsoever.

Recovery of Penalties

89. All Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom, by and before One or more Justice or Justices of the Peace, under the Provisions of an Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within* England *and* Wales, *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied, in *Scotland* and in *Ireland*, for the Recovery of all such Penalties and Forfeitures, as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority, according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster*, or in *Dublin*, or in *India*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Parts of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

Appropriation of Penalties.

90. One Moiety of every Penalty, not including any Treble Value of any Articles adjudged or recovered under the Provisions of this Act, shall, in the United Kingdom, go to the Person who shall inform or sue for the same, and the Remainder of the Penalty, together with the Treble Value of any Articles, or, where the Offence

Offence shall be proved by the Person who shall inform, the whole of the Penalty, shall be paid to the General Agent for the Recruiting Service in *London*, and in *India* to the Military Secretary of the Government of the Presidency to which the Court by whom the Penalty shall be adjudicated shall be subject, to be at the Disposal of the Secretary of State for the War Department, anything in an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales," or in any other Act or Acts, to the contrary notwithstanding; and every Justice in the United Kingdom who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the said Secretary of State, and in *India* the Court which shall adjudge any Penalty under this Act shall immediately report the same to the said Military Secretary.

5 & 6 W. 4. c. 76.

91. Any Justice in the United Kingdom within whose Jurisdiction any Soldier in Her Majesty's Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billeted, may summon such Soldier before him in the Place where he is billeted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy thereof shall be at any Time admitted as good and legal Evidence of such last legal Settlement before any Justices or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required; provided also, that when no such Examination shall have been required, the Statement made by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Mode of recording a Soldier's Settlement.

92. When any Person shall hold any Canteen under proper Authority of the War Department, it shall be lawful for any Two Justices within their respective Jurisdictions to grant or transfer any Beer, Wine, or Spirit Licence to such Persons, without regard to Time of Year or to the Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise, or their proper

Licences of Canteens.

proper Officers within their respective Districts, shall also grant such Licences as aforesaid; and such Persons so holding Canteens, and having such Licences, may sell therein Victuals and Exciseable Liquors, as empowered by such Excise Licence, without being subject to any Penalty or Forfeiture.

Attestation of Accounts.

93. All Muster Rolls and Accounts and Pay and Pension Lists which are required to be verified by Declaration shall be so verified and attested free of Stamp Duty and without Fee or Reward paid for such Declaration or Attestation.

Commissaries, &c. to attest their Accounts.

94. All Commissaries, Regimental Paymasters, and all other Accountants for Military Services, Storekeepers, and Barrack Masters, upon making up their Accounts, and all Commissaries and Storekeepers upon returning from any Foreign Service, shall severally make the respective Declarations described in the Schedule to this Act annexed; which Declarations, if made in any Part of the United Kingdom, shall be made before some Justice, or other Person authorized to administer Oaths and Declarations, and if made on Foreign Service, shall be made before the Officer commanding in chief, or the Second in Command, or the Quartermaster or Deputy Quartermaster General or any Assistant Quartermaster General of the Army, who shall respectively have Power to administer and receive the same.

Administration of Oaths.

Perjury.

95. All Oaths and Declarations which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or other Person having Authority to administer Oaths and Declarations; and any Person taking a false Oath or Declaration where an Oath or Declaration is authorized or required by this Act shall be deemed guilty of wilful and corrupt Perjury, or of wilfully making a false Declaration, and being thereof duly convicted shall be liable to such Pains and Penalties as by Law any Person convicted of wilful and corrupt Perjury is subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury, or of wilfully making a false Declaration, shall be cashiered, and every Soldier or other Person amenable to the Provisions of this Act, found guilty thereof by a General, District, or Garrison Court-martial, shall be punished at the Discretion of such Court. In *India*, in all Cases where any Oath is hereby required to be taken, or any Person is hereby required to be sworn, a solemn Declaration or Affirmation may be substituted, if by the Laws for the Time being in force in *India* such Declaration or Affirmation would be allowed to be substituted in the Place of an Oath, in case the Party were about to depose as a Witness in a Civil Action in any of the Supreme Courts at the Presidencies; and any Person

Person wilfully and knowingly giving false Testimony on Oath or solemn Declaration or Affirmation in any Case wherein such Oath or solemn Declaration or Affirmation shall have been made for the Purpose of this Act, or any Proceedings under this Act, shall be deemed guilty of wilful and corrupt Perjury, and, being duly convicted thereof before a Court-martial or otherwise, shall be liable to such Pains and Penalties as by any Law in force in *England*, or by any Law in force in *India*, any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Offences against former Mutiny Acts and Articles of War.

96. All Crimes and Offences which have been committed against any former Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, or against any of the Articles of War made and established by virtue of either of the same, may, during the Continuance of this Act, be tried and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any such former Act shall remain in full Force, and all Proceedings of Courts-martial convened and held under any such Warrant shall be continued, notwithstanding the Expiration of such Act: Provided always, that no Person shall be liable to be tried or punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Officers and Soldiers to conform to 26 & 27 Vict. c. 48., &c.

97. It shall be the Duty of all Officers and Soldiers to observe and conform to the Provisions contained in "The Regimental Debts Act, 1863," and in the Regulations for the better Execution of the Purposes of the said Act prescribed from Time to Time by Warrant under the Royal Sign Manual.

Where Troops are serving beyond the Jurisdiction of the Courts of Requests, &c., Actions of Debt not exceeding 400 Rupees to be cognizable by a Military Court.

98. In all Places in *India* where any Body of Her Majesty's Forces may be serving situate beyond the Jurisdiction of any Courts of Requests, or other Courts for enforcing small Demands, established at the Cities of *Calcutta*, *Madras*, and *Bombay* respectively, Actions of Debt, and all personal Actions against Officers or against Persons licensed to act as Sutlers, or other Persons amenable to the Provisions of this Act not being Soldiers, shall be cognizable before a Court of Requests composed of Military Officers,

Officers, and not elsewhere, provided the Value in question shall not exceed Four hundred Rupees, and that the Defendant was a Person of the above Description when the Cause of Action arose, which Court the Commanding Officer of any Camp, Garrison, Cantonment, or Military Post is hereby authorized and empowered to convene; and the said Court shall in all practicable Cases consist of Five Commissioned Officers, and in no Instance of less than Three, and the President thereof shall in all practicable Cases be a Field Officer, and in no Case be under the Rank of a Captain, and every Member shall have served Five Years as a Commissioned Officer; and the President and Members assisting at any such Court, before any Proceedings be had before it, shall take the following Oath, which Oath shall be administered by the President of the Court to the other Members thereof, and to the President by any Member having first taken the Oath; (that is to say,)

Composition and Constitution of the Court prescribed.

President, &c. of Court to take the following Oath.

'I swear, That I will duly administer Justice
'according to the Evidence in the Matters that shall be brought
'before me. So help me GOD.'

Powers of such Court defined.

And all Witnesses before any such Court shall be examined in the same Manner as in the Case of a Trial by Court-martial, and it shall be competent for such Court, upon finding or awarding any Debt or Damage, either to award Execution thereof generally, or to direct specially that the whole or any Part thereof shall be stopped and paid over to the Plaintiff out of any Part not exceeding One Half of any Pay or Allowance, or out of any other Public Money which may respectively be coming to the Defendant in the current or any future Month or Months, or to direct the same to be so paid by Instalments; and in all Cases where the Execution shall be awarded generally the Debt, if not paid forthwith, shall be levied by Seizure and public Sale of such of the Defendant's Goods and Property as may be found within the Camp, Garrison, Cantonment, or Military Post, under a written Order of the Commanding Officer, grounded on the Judgment of the Court; and all Orders of such Commanding Officer as to the Manner of such Sale, or the Person by whom the same shall be made, or otherwise respecting the same, shall be valid and binding; and any Goods and Property of the Defendant found within the Limits of the Camp, Garrison, Cantonment, or Military Post to which the Defendant shall belong at any subsequent Time shall be liable to be seized and sold in like Manner in satisfaction of any Remainder of such Debt or Damages; and if any Question shall arise whether any such Effects or Property are liable to be taken in Execution as aforesaid, the Decision and Order of the said Commanding Officer shall be final and conclusive with respect to the same, and if sufficient Goods shall not be found within the Limits of

of the Camp, Garrison, Cantonment, or Military Post, then any Public Money or any Part not exceeding One Half of the Pay or Allowances accruing to the Defendant shall be stopped in liquidation of such Debt or Damages; and if such Defendant shall not receive Pay as an Officer or from any Public Department, but be a Sutler, Servant, or Follower, he may be arrested by like Order of the Commanding Officer, and imprisoned in some convenient Place within the Military Boundaries for any Period not exceeding Two Months, unless the Debt be sooner paid; and the said Commanding Officer shall not, nor shall any Person acting on his Orders in respect of the Matters aforesaid, incur any Liability to any Person or Persons whomsoever for any Act done by him in pursuance of the Provisions aforesaid; and in Cases where the said Court shall direct specially that the whole or any Part of the Debt or Damages shall be stopped and paid out of Part of any Pay or Allowances, or out of any Public Money, the same shall be stopped and paid accordingly in conformity with such Direction: Provided always, that nothing herein-before contained shall enable any such Action as aforesaid to be brought in the said Court by any Officer or Soldier against any Officer.

Provisions relating to Courts-martial on Officers and Soldiers of Her Majesty's Indian Forces.

99. Whenever any Court-martial may be held in *India* by virtue of this Act on any Officer or Soldier of Her Majesty's *Indian* Forces, there shall sit on such Court-martial One or more Officer or Officers of Her Majesty's said *Indian* Forces, if the Attendance of such Officer or Officers can be conveniently had, and if the Attendance of no such Officer or Officers can be conveniently had, then the Officer convening such Court-martial shall specify the same in his Warrant or Order convening the Court-martial; and the Government of any of the Presidencies in *India* may suspend the Proceedings of any Court-martial held in *India* on any Officer or Soldier belonging to Her Majesty's *Indian* Forces within such Presidencies respectively; and if any Officer belonging to Her Majesty's *Indian* Forces shall think himself wronged by the Officer commanding the Regiment, and shall upon due Application made to him not receive the Redress to which he may consider himself entitled, he may complain to his Commander-in-Chief in order to obtain Justice, who is hereby required to examine into such Complaint, and thereupon, either by himself or by his Adjutant General, to make his Report to the Government of the Presidency to which such Officer belongs, in order to receive the further Directions of such Government: Provided that no Officer of Her Majesty's *Indian* Forces aforesaid who may have joined or may join either of the Staff Corps formed in the several Presidencies of *India* under the Warrant of Her Majesty bearing Date the Sixteenth Day of *January* One thousand eight hundred and sixty-one, constituting the said Corps, and no Officer or Soldier of Her Majesty's *Indian*

Proviso.

Indian Forces aforesaid who shall have volunteered or may volunteer to join Her Majesty's General Military Service, shall be deemed to be an Officer of Her Majesty's *Indian* Forces for the Purposes of this Section.

As to Trial of Officers and Soldiers serving in India.

100. Any Officer or Soldier, or other Person subject to this Act, who shall be serving in the Territories of any Foreign State in *India*, or in any Country in *India* under the Protection of Her Majesty, or at any Place in Her Majesty's Dominions in *India* (other than *Prince of Wales' Island*, *Singapore*, or *Malacca*), at a Distance of upwards of One hundred and twenty Miles from the Presidencies of *Fort William*, *Fort Saint George*, and *Bombay* respectively, and who shall be accused of having committed Treason or any other Crime which, if committed in *England*, would be Felony, may be tried by a General Court-martial, to be appointed by the General or other Officer commanding-in-chief in such Place for the Time being, and, if found guilty, shall be liable to be sentenced by such Court-martial to suffer such Punishment as might legally have been awarded by any of Her Majesty's Courts of ordinary Criminal Jurisdiction within Her Majesty's Dominions in *India* in respect of an Offence of a like Nature and Degree, and committed within the Jurisdiction of such last-mentioned Court; but no Sentence of a General Court-martial for any such Offence shall be carried into execution until the same shall have been duly confirmed; and it shall be lawful for such General or other Officer commanding-in-chief as aforesaid to confirm the Sentence of any such General Court-martial; and such General or other Officer as aforesaid may, if he shall think fit, suspend, mitigate, or remit the Sentence; or, in the Case of a Sentence of Penal Servitude, may commute the same to Imprisonment, with or without Hard Labour, for such Period as to him shall seem fit: Provided always, that in all Cases wherein a Sentence of Death or Penal Servitude shall have been awarded by any such General Court-martial held for the Trial of a Commissioned Officer, or where a Sentence of Death shall have been awarded by any such General Court-martial held for the Trial of any Person subject to this Act other than a Commissioned Officer, such Sentence shall not be carried into Execution until it shall have been duly approved by the Governor-General in Council, or Governor in Council of the Presidency in the Territories subordinate to which the Offender shall have been tried: Provided also, that any Person who may have been so tried as aforesaid shall not be tried for the same Offence by any other Court whatsoever.

Duration of this Act.

101. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and

and sixty-five inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-six; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-five inclusive until the First Day of *May* One thousand eight hundred and sixty-six; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty-five inclusive until the First Day of *August* One thousand eight hundred and sixty-six; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and sixty-five inclusive until the First Day of *September* One thousand eight hundred and sixty-six; and shall be and continue in force in *India*, and within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and sixty-six inclusive until the First Day of *January* One thousand eight hundred and sixty-seven; and shall be and continue in force within *British Columbia* and *Vancouver's Island* from the Date of the Promulgation thereof in General Orders there inclusive until the First Day of *January* One thousand eight hundred and sixty-seven; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and sixty-seven inclusive until the First Day of *February* One thousand eight hundred and sixty-eight: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHEDULES referred to by the foregoing Act.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date * 186 .

A. B.

TAKE Notice, That you enlisted with at o'Clock* on the Day of for the Regiment [*instead of the Words* "for the Regiment," *any Words may be substituted which are applicable to the Case*], and if you do not come to [*here name some Place*] on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representation at the Time of Attestation.

Signature of the Non-commissioned Officer serving the Notice. } _____

* A.M. or P.M., as the Case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the Parish of in the County of , do solemnly and sincerely declare, That to the best of my Knowledge and Belief I was born in the Parish of (*a*) in or near the Town of (*b*) in the County of (*c*) , and am Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am not married; that I am not a Widower; that I am a Widower, and that I have (*or* have not) Children; that I do not belong to the Militia, or to the Naval Coast Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military or Naval Employment whatsoever, except ; that I have never been marked with the Letter

Mutiny.

Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit, and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the * Regiment of [*instead of the Words* "in the Regiment," *any Words may be substituted which are applicable to the Case in or for whatever Part of Her Majesty's Dominions the Enlistment may be made*] for the Term of [*the Blank after the Words* "Term of" *to be filled up with Ten Years for Infantry and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years* (*as the Case may be*)], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Signature of Recruit.
Signature of Witness.

Note (*a*), (*b*), (*c*). These Blanks need not be filled up if the Recruit is unable to give the requisite Information.

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me. So help me GOD.

Witness my Hand, _____ *Signature of Recruit.*
_____ *Witness present.*

The above Declaration and Oath were made before me at this Day of One thousand eight hundred and at o'Clock.

Signature of Justice _____

DECLARATION

DECLARATION to be made by a SOLDIER, or PERSON having been a SOLDIER, on renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be*,] in Captain Company in the Regiment [*the foregoing Portion of this Declaration may be altered to suit each particular Case*]; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, for a further Term of Years [*to be filled up with Eleven Years in the Infantry, or Twelve in the Cavalry, or Nine in the Artillery or Engineers, and, in the Case of a Soldier about to embark for Foreign Service, with such Number of Years as shall be required to complete a total Service of Twenty-one Years in the Artillery, Engineers, and Infantry, or Twenty-four in the Cavalry,*] provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me_____ the_____ day of ____18___

Signature of Soldier.

_____*Signature of Witness.*

FORM of OATH to be taken by a MASTER whose APPRENTICE has absconded.

I of do make Oath, That I am by Trade a and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of abscond and quit my Service without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and

Sworn before me at this Day of One thousand eight hundred and

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FORM

BENGAL SECRETARIAT LIBRARY.

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an APPRENTICE.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

FORM of OATH to be taken by a MASTER whose indentured LABOURER in any of Her Majesty's Colonies or Possessions has absconded.

I of do make Oath, That was bound to me to serve as an indentured Labourer by Indenture dated the Day of for the Term of Years, and that the said did on or about the Day of abscond and quit my Service without my Consent.

Witness, *&c.* [*as for Apprentice.*]

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an indentured LABOURER.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of and made Oath that was bound to serve as an indentured Labourer to him by Indenture dated the Day of for the Term of Years, and that the said indentured Labourer did on or about the Day of abscond and quit the Service of the said without his Consent.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S or PURVEYOR'S ACCOUNTS.

I do solemnly and sincerely declare, That I have not applied any Monies or Stores or Supplies under my Care or Distribution to my own Use, or to the private Use of any other

Person by way of Loan to such Person or otherwise, or in any Manner applied them, or knowingly permitted them to be applied, to any other than Public Purposes, according to the Duty of my Office.

Declared before me by the within-named
this Day of
Justice of the Peace of
or *Commander in Chief*, or *Second in Command, et cætera, the Army serving in et cætera* [*as the Case may be*].

FORM of DECLARATION of ATTESTATION of a STOREKEEPER'S ACCOUNTS.

I , Storekeeper at , do hereby solemnly and sincerely declare, That I have charged myself in this Account with the several Sums drawn for or received by me on Imprests, or for Rents, Sale of old Stores, or for any other Article or Service; that they are just and true, and include every Sum for which I am accountable during the Period stated. I also solemnly declare, that I have not, directly or indirectly, received any Profit, Fee, Emolument, or Advantage whatever beyond my Salary and authorized Allowances, except the trifling Advantage which may have arisen in respect to the fractional Parts of a Penny in the Totals of the Pay Lists, as sanctioned by the Regulations of 19th December 1832 $\frac{8}{1176}$ (See Art. 246, at Page 65, of Home Regulations); and I further solemnly declare, that the several Sums of Money for which I have taken Credit as Disbursements in this Account, amounting to , have been actually and bonâ fide paid by me for the respective Services, without any Deductions, to the several Persons entitled to the same, and that the Receipts which accompany this Account have been actually signed and witnessed by the Persons stated therein; and I make this Declaration, conscientiously believing the same to be true.

_____,
Storekeeper at _____.

Declared before me at
this Day of 18

_____,
Magistrate for _____

FORM

FORM of DECLARATION of ATTESTATION of a BARRACK MASTER'S ACCOUNTS.

I , Barrack Master of the Barracks at , do hereby solemnly and sincerely declare, That I have charged myself in this Account with the several Sums drawn for or received by me on Imprests, or for Rents, Damages, and Deficiencies, washing Sheets, or for any other Article or Service; that they are just and true, and include every Sum for which I am accountable during the Period stated. I also solemnly declare, that I have not, directly or indirectly, received any Profit, Fee, Emolument, or Advantage whatever from or on account of the Purchase or Issue of any of the Articles for the Service of the said Barracks, nor have I any Property in Lands, Houses, Tenements, or any Article used or employed in the Service of the War Department; and I further solemnly declare, that the several Sums of Money for which I have taken Credit as Disbursements in this Account, amounting to , have been actually and bonâ fide paid by me for the respective Services, without any Deductions, to the several Persons entitled to the same, and that the Receipts which accompany this Account have been actually signed and witnessed by the Persons stated therein; and I make this Declaration, conscientiously believing the same to be true.

_____,
Barrack Master at _____.

Declared before me at
this Day of 18

_____,
Magistrate for _____.

FORM of DECLARATION of ATTESTATION of a PAYMASTER'S ACCOUNTS.

I do solemnly and sincerely declare, That the foregoing Pay List of the Regiment of , for the Period ended 186 , contains Charges of Pay for only such Non-commissioned Officers, Drummers, Fifers, Buglers, and Privates as were effective and entitled to Pay during, and regularly mustered at, the Periods set against their Names; that all those Men who were not present at the respective Musters taken by me on the , the , and the have the true Reasons of their Absence stated against their Names; and that every Absence affecting the Pay or Allowances of such Men which occurred between the respective Musters is properly accounted for.

Also,

Mutiny.

Also, that the List of Commissioned Officers prefixed to the said Pay List contains a true and just Statement of the Names of all the Commissioned Officers who have been effective and entitled to Pay as belonging to the said Regiment for the Periods therein set down against their respective Names; also, that all the Remarks opposite to their Names on the Muster Roll have been correctly copied therein; and that the Sum debited in the general State of this Pay List for the Pay of Officers has been actually received by me and paid to them respectively.

Also, that the whole of the Sums debited in this Pay List and Account, amounting to , have been actually and bonâ fide disbursed by me in conformity with the established Regulations, and that the total Sum received, drawn for, or required to be remitted for the several Services therein charged, including every Receipt whatever, for which I am required to give Credit in these Accounts, is

Also, that the Statement at the Foot of this Page contains a full and correct List of all Abstracts of Examination, and of all Decisions on Abstracts of Examination, of the Pay List of this Regiment received between the of 186 (the Date of the last Pay List transmitted to the War Office being that for the Period ended the 186) and the of 186 , the Date of this Pay List.

Also, that the total Amount of the Sums disallowed in the said Decisions is credited in this Pay List, in conformity with Article 21 of the explanatory Directions, dated the 1st July 1848.

Also, that to the best of my Knowledge and Belief, both my Sureties are now living; that the Property of each is at least double that for which he is Surety; and that they respectively reside at the Places under mentioned.

Names of Sureties.	Places of Residence.

Paymaster.

Declared and subscribed before me, at this Day of 186 . } *Justice of the Peace for* ___

Witnesses { _____ *Commanding Officer.*
_____ *Adjutant.*

FORM

FORM of DECLARATION of ATTESTATION of the ACCOUNTS of a MILITARY ACCOUNTANT.

I HEREBY solemnly and sincerely declare, That this Account, comprised in Folios, is just and true, according to the best of my Knowledge, Information, and Belief; and I make this Declaration, conscientiously believing the same to be true.

Military Accountant.

Declared before me, at this Day of 18 . } *Justice of the Peace for* _____.

Mutiny.

No. .

DESCRIPTION RETURN of who was apprehended [*or* "surrendered himself," *as the Case may be,*] on the Day of and was committed to Confinement at on the Day of as a Deserter from [*insert Regiment or Corps*].

Age	
Height	Feet. Inches.
Complexion	
Hair	
Eyes	
Marks	
Probable Date of Enlistment, and where	
Probable Date of Desertion, and from what Place	
* Name and Occupation and Address of the Person by whom or through whose Means the Deserter was apprehended and secured	
* Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds.	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

——————*Signature and Address of Magistrate.*
——————*Signature of Prisoner.*
——————*Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

——————*Signature of Military Medical Officer, or of § Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

§ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

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Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

***

Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows

Power to Lord High Admiral &c to make Articles for the Punishment of Mutiny Desertion, &c

1. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to make, ordain, alter, and establish Rules and Articles of War, under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of Her Majesty's Royal Marine Forces, and for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of Her Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and for regulating the Proceedings of Courts-martial, which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever, and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad, provided that no Person within the United Kingdom of *Great Britain* and *Ireland* or within the *British Isles* shall by such Articles of War be subject to suffer any Punishment extending to Life or Limb, or to be kept in Penal Servitude, except for Crimes which are by this Act expressly made liable to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which may be inconsistent with the Provisions of this Act.

As to Offences against former Mutiny Acts and Articles of War

2. All Crimes and Offences committed against any former Act made for the Regulation of the Royal Marine Forces while on shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be tried, inquired of, and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act, and all Proceedings of any Court-martial upon any Trial begun under the Authority

of

of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape and come or be brought into this Realm before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Limitation as to Time.

3. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions herein contained for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for Trial and Punishment of Officers and Marines who shall be charged with Mutiny and Desertion or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Medals for Good Conduct or for distinguished or other Service, Clothes, Military Furniture, or Regimental Necessaries from any Marine or Deserter, or who shall cause the Colour of any such Clothes to be changed; and also to the Provisions for exempting Marines from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Provisions of this Act to extend to Jersey, &c.

4. Nothing in this Act contained shall be construed to extend to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law when accused of Felony or Misdemeanor, or of any Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine, or who shall wilfully obstruct, neglect, or refuse to assist any Peace Officer in apprehending any such Offender, shall,

The ordinary Course of Law not to be interfered with.

shall, upon Conviction thereof in any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in Her Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty.

No Person tried by Civil Power to be punished by Court-martial for same Offence except by cashiering, &c.

5. No Person subject to this Act having been acquitted or convicted of any Crime or Offence by the Civil Magistrate or by the Verdict of a Jury shall be liable to be again tried for the same Crime or Offence by a Court-martial, or to be punished for the same otherwise than by cashiering in the Case of a Commissioned Officer, or in the Case of a Warrant Officer by Reduction to an inferior Class, or to the Rank of a Private Marine, by Order of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or in the Case of a Non-commissioned Officer, by Reduction to the Ranks, by Order of the Commandant of the Division to which such Non-commissioned Officer may belong; and whenever any Officer or Marine shall have been tried before a Court of ordinary Criminal Jurisdiction, the Clerk of the Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Division to which such Officer or Marine belongs, transmit to him a Certificate containing the Substance and Effect only, omitting the formal Part, of the Indictment, Conviction, and Entry of Judgment thereon or Acquittal of such Officer or Marine, and shall be allowed for such Certificate a Fee of Three Shillings.

Marines to be subject to the Discipline of the Navy while on board Ship.

6. All of Her Majesty's Royal Marine Forces shall, during the Time they shall be respectively borne on the Books of or be on board any of Her Majesty's Ships or Vessels in Commission, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws for the Government of Her Majesty's Forces by Sea, and to the Rules and Discipline of the Royal Navy for the Time being, and shall and may be proceeded against and punished for Offences committed by them whilst so borne or on board, in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished; except when and so long as any Marine Officers or Marines shall be landed from any of Her Majesty's Ships, and be employed in Military Operations on shore, and when on such Occasions the senior Naval Officer present shall deem it expedient to issue an Order declaring that such Marine Officers and Marines shall during such Employment on shore be subject to the Regulations of this Act, in which Cases, and while such Order shall remain in force, they shall be subject to such Regulations,

Regulations, and be tried and punished under this Act accordingly, for any Offences to be committed by them while so on shore; and with or without any Commission or Warrant from the said Lord High Admiral or the said Commissioners for that Purpose, the Officer commanding in chief or commanding for the Time being any such Marine Officers or Marines shall have Power and Authority to convene, and to authorize any Officer to convene, Courts-martial under this Act, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command: Provided always, that if any Marine Officer or Marine so borne on the Books of any of Her Majesty's Ships or otherwise shall commit any Offence for which he shall not be amenable to a Naval Court-martial, he may be tried and punished for the same in the same Manner as other Officers or Marines may be tried and punished for the like Offences under the Authority of this Act; or if the Commissioners for executing the Office of Lord High Admiral aforesaid so direct, he may be so tried and punished for any Offence committed by him on shore, whether he be or be not amenable to a Naval Court-martial for the same.

Power to Lord High Admiral, &c. to grant Commissions for holding General Courts-martial, &c.

7. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions or Warrants under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and elsewhere out of the same, in like Manner as has been heretofore used, and for bringing Offenders against this Act and the Articles of War to Justice, and to erect and constitute Courts-martial, as well within the said United Kingdom and the *British Isles* as in any of Her Majesty's Garrisons or Dominions or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of Her Majesty's Royal Marine Forces, as well within the said United Kingdom as Her Majesty's other Dominions, and in any Foreign Parts out of the same Dominions, for convening, as well as for authorizing any Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command, or before or after any such Commission or Warrant shall be granted, provided that the Officer so authorized be not below the Degree of a Field Officer, except in detached Situations beyond Seas, where a Captain may be

Place where Offenders may be tried.

be authorized to convene District or Garrison Courts-martial; and any Person subject to this Act who shall, in any of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions, or other Place where he may have come or be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Power of General Courts-martial.

8. Every General Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Thirteen Commissioned Officers, and shall have Power to sentence any Officer of Marines or Marine to suffer Death, Penal Servitude, Imprisonment, Forfeiture of Pay or Pension, or any other Punishment which shall accord with the Usage of the Service; but no Judgment of Death by a Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein; and no Court-martial within the United Kingdom or elsewhere held under the Provisions of this Act shall have Power to award a Sentence of Transportation.

Powers of District or Garrison Courts-martial.

9. Every District or Garrison Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Seven Commissioned Officers, and shall have the same Power as a General Court-martial to sentence any Marine to such Punishments as shall accord with the Provisions of this Act; provided that the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony, and that no such District or Garrison Court-martial shall have Power to try a Commissioned Officer, or to pass any Sentence of Death or Penal Servitude.

Powers of Divisional and Detachment Courts-martial.

10. A Divisional or Detachment Court-martial shall consist of not less than Five Commissioned Officers, unless it be found impracticable to assemble that Number, in which Case Three shall be sufficient, and shall have Power to sentence any Marine to Corporal Punishment or to Imprisonment, and Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Courts-martial on Line of March or in Transport Ships, &c.

11. In Cases of Mutiny and gross Insubordination or of other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, or Merchant Vessel, the Offender may be tried by a Divisional or Detachment Court-martial, and the Sentence may be confirmed and carried into execution on the Spot by the Officer in immediate Command, provided that the Sentence shall not exceed that which a Divisional Court-martial is competent to award.

12. It

Marine Mutiny.

12. It shall be lawful for any Officer commanding any Detachment or Portion of Her Majesty's Royal Marine Forces, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any Country in which Her Majesty's Royal Marine Forces are so serving, by any Person under the immediate Command of any such Officer, to summon and cause to be assembled a Detachment General Court-martial, which shall consist of not less than Three Commissioned Officers, for the Trial of any such Person, notwithstanding such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Detachment Court-martial shall be executed until the Officer commanding the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried shall belong shall have approved and confirmed the same.

Powers of Detachment General Courts-martial.

13. When it is necessary or expedient, a Court-martial composed exclusively of Officers of the Royal Marines, or a Court-martial composed of Officers of Her Majesty's Army, or of Her Majesty's *Indian* Army, or of both or of either, together with Officers of the Royal Marines, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or to the Marine Forces, may try a Person belonging to any One of the said Three Services; provided that when the Person to be tried shall belong to Her Majesty's Royal Marine Forces, then the Provisions of this Act, or of such Act as shall be then and there in force for the Regulation of Her Majesty's Royal Marine Forces while on shore, and the Oaths therein respectively prescribed, and the Rules and Articles of War relating to the Royal Marines then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto; but where the Person to be tried shall belong to Her Majesty's Army, or shall belong to Her Majesty's *Indian* Army, and be within the United Kingdom, then the Proceedings of such Court shall be regulated as if the Court were composed of Officers of Her Majesty's Army only, and the Provisions of the Act then and there in force for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and the Oaths therein prescribed, and the Rules and Articles of War relating to Her Majesty's Army then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto; and where the Person to be tried shall belong to Her Majesty's *Indian* Army, and be out of the United Kingdom, the Provisions of such Act or Acts as shall be then and there in force for punishing Mutiny and Desertion of Officers and Soldiers in Her Majesty's *Indian* Army, and

Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

and the Rules and Articles of War, if any, relating to such Officers and Soldiers then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto.

If no Superior Officer of Land Forces is present in Command of a District, &c., an Officer of Marines may convene a Court-martial.

14. Provided there be no Superior Officer of Her Majesty's Land Forces present in Command of a District, Garrison, Station, or Place where Marines may be serving, it shall be lawful for any Officer of the Royal Marine Corps, of the Degree of a Field Officer, and holding a Commission from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for that Purpose, but not otherwise, to convene or assemble a District or Garrison Court-martial, to be composed as before stated, and for such Court to proceed to try any Marine or Marines below the Rank of Commissioned Officer for any of the Offences cognizable by a District or Garrison Court-martial; but the Sentence so awarded by any such Court shall not be carried into effect until the Senior Officer of the Royal Marines in the District, Garrison, Station, or Place, not being a Member of the Court, shall have confirmed the same: Provided always, that if there be any such Superior Officer of Her Majesty's Land Forces present in Command of the District, Garrison, Station, or Place where Marines may be, in such Case it shall be lawful for him to convene or assemble such District or Garrison Court-martial for the Trial of any Marine or Marines below the Rank of a Commissioned Officer, and for such Court-martial to try any such Marine or Marines in conformity with the Provisions of this Act and the Articles of War to be made in pursuance hereof; but the Sentence which may be awarded by any such Court which may be convened or assembled by any such Superior Officer shall not be carried into effect until such Superior Officer shall have confirmed the same.

President of Courts-martial.

15. The President of every Court-martial shall be appointed by or under the Authority of the Officer convening such Courts, and shall in no Case be the confirming Officer, or the Officer whose Duty it has been to investigate the Charges on which the Prisoner is to be arraigned, nor, in the Case of a General Court-martial, under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Divisional or Detachment Court-martial holden on the Line of March, or on board a Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had: Provided always, that in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions the Officer convening such Court may be the President thereof.

16. In

16. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers, and if the Prisoner shall then object to the President, such Objection, unless allowed by Two Thirds at least of the other Officers appointed to form the Court, shall be referred to the Decision of the Authority by whom such President shall have been appointed; but if he object to any Officer other than the President, such Objection shall be decided by the President and the other Officers so aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall be made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial, before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Proceedings at Trial.

17. All General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate, or the Person officiating as such, and in the Case of all other Courts-martial by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested; or if such Court be not sitting, then by any Judge of the

Swearing and summoning Witnesses.

Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge by any Affidavit in a summary Way that such Witness was arrested in going to, attending upon, or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or not produce the Documents being under their Power or Control required to be produced by them, or, being sworn, shall refuse to give Evidence or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin* or in the Court of Session, Sheriff or Stewart Courts in *Scotland*, or in the Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness had, after being duly summoned or subpœnaed, neglected to attend on a Trial in any Proceeding in the Court in which such Complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an Oath necessary in any Case where by Law a solemn Affirmation may be made instead thereof.

Previous Convictions may be put in Evidence.

18. After any Person subject to this Act has been found guilty of any Charge or Charges the Court before which any such Person shall have been tried, before passing Sentence on such Person, and for the Purpose only of awarding Punishment, may receive in Evidence against him any previous Convictions by Courts-martial; and in like Manner and for the like Purpose the Court may receive in Evidence any previous Conviction of any such Person, not being a Commissioned Officer, by a Court of ordinary Criminal Jurisdiction; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book or the Divisional or Company's Defaulters Book, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in any of such Books or any of them, and which shall be signed by the Adjutant or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Division or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proof of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction,

diction, any Certificate transmitted as herein provided to the Officer commanding by the Clerk of any such Court or other Officer having Custody of the Records of such Courts, or the Deputy of such Clerk, setting forth the Offence of which the Prisoner was convicted, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proof of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall be so found guilty.

No Second Trial, but Revision allowed.

19. No Officer or Marine who shall be acquitted or convicted of any Offence shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence in respect of any Charge on which the Prisoner then stands arraigned be received by the Court on any Revision.

Crimes punishable with Death.

20. If any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in any Place within the said Kingdom, or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any Place whatever, where or while being in any Circumstances in which he shall not be subjected to, or not be liable to or punishable by, the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other Forces,

or

or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before being regularly relieved, or shall sleep on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any Military Prison; or shall desert from Her Majesty's Royal Marine Forces; every Person so offending in any of the Matters before mentioned, whether such Offence be committed within this Realm, or in any other of Her Majesty's Dominions, or in Foreign Parts upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Marine in Pay in any Division or Company who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Division or Company, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

Commutation of Death for Penal Servitude or Imprisonment, &c.

21. In all Cases where the Punishment of Death shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Commanding Officer having Authority to confirm Sentence, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude for any Term not less than Five Years, or to suffer such Term of Imprisonment, with or without Hard Labour and

and with or without Solitary Confinement, as shall seem meet to Her Majesty or to the Officer commanding as aforesaid.

Embezzlement punishable by Penal Servitude, Imprisonment, &c.

22. Any Officer or Marine, or any Person employed or in any way concerned in the Care or Distribution of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Stores belonging to any of Her Majesty's Forces or for Her Majesty's Use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a General Court-martial, and sentenced to be kept in Penal Servitude for any Term not less than Five Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, Reduction to the Ranks, if a Warrant or Non-commissioned Officer, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained; and in every such Case the Court is required to ascertain by Evidence the Amount of such Loss or Damage, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident after the said Judgment shall be confirmed and made known, or the Offender, if he shall remain in the Service, may be put under Stoppages not exceeding One Half of his Pay and Allowances until the Amount so ascertained shall be recovered.

As to Execution of Sentences of Penal Servitude in the United Kingdom.

23. Whenever Her Majesty shall intend that any Sentence of Penal Servitude heretofore or hereafter to be passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence, or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Penal Servitude any Sentence of Death which shall have been passed by any such Court, such Sentence, together with Her Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall do all such other Acts consequent upon such Notification as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any

such Orders in relation to Penal Servitude of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order, as they would be if the same had been made under the Authority of any such Act of Parliament; and every Person so ordered to be kept in Penal Servitude shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on Condition of Penal Servitude; and from the Time when such Order of Penal Servitude shall be made every Law and Statute in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave of any such Offender; and the Judge who shall make any Order of Penal Servitude as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude was made; which Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms in which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same; and it shall be lawful for any Judge of the Queen's Bench, Common Pleas, or Exchequer in *Ireland* to make an Order that any such Offender convicted in *Ireland* shall be kept in Penal Servitude in *England*, and such Order shall be in all respects as effectual in *England* as though such Offender had been convicted in *England*, and the Order had been made by any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England*.

24. When-

Marine Mutiny.

24. Whenever any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any other Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence, or for any shorter Term, or when Sentence of Death passed by any such Court-martial has been or shall as aforesaid be commuted to Penal Servitude, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or the Chief Justice or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or intermediate Custody of such Offender; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification shall cause such Offender to be removed or sent to some other Colony or Place, or to undergo his Sentence within the Presidency or Colony where the Offender was so sentenced or where he may come or be as aforesaid in obedience to the Directions for the Removal and Treatment of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender shall, according to such Directions, undergo the Sentence of Penal Servitude which shall have been passed upon him either in the Presidency or Colony in which he has been so sentenced or in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be imprisoned and kept to Hard Labour, and otherwise dealt with under such Sentence, in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Penal Servitude by the Judgment of a Court of competent Jurisdiction in such Presidency or Colony or in the Colony or Place to which he has been so removed or sent respectively.

As to Execution of Sentences in the Colonies.

25. In any Case where a Sentence of Penal Servitude shall have been awarded by a General or Detachment General Court-martial, it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned, with or without Hard Labour, and with or without Solitary Confinement, for such Term not exceeding Four Years as shall seem meet to Her Majesty or to the Officer commanding as aforesaid.

Sentence of Penal Servitude may be commuted for Imprisonment.

26. Where

Of Forfeitures, when combined with Penal Servitude, Imprisonment, &c.

26. Where an Award of any Forfeiture, or of Deprivation of Pay, or of Stoppages of Pay shall have been added to any Sentence of Penal Servitude, it shall be lawful for the said Lord High Admiral or the said Commissioners, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, in the event of the Sentence being commuted for Imprisonment, to order such Award of Forfeiture, Deprivation of Pay, or Stoppages of Pay to be enforced, mitigated, or remitted as may be deemed expedient.

Disposal of Convict after Sentence of Penal Servitude.

27. When any Sentence of Death shall be commuted for Penal Servitude, or when any Marine shall by Court-martial be adjudged to Penal Servitude as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged or may belong to cause him to be detained and conveyed to any Gaol or Prison, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Penal Servitude to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Governor, Keeper, or Superintendent of the Gaol or Prison to receive and detain him: Provided always, that in case of any such Offender being so conveyed to Gaol or Prison the usual Allowance of Sixpence *per Diem*, or such other Sum as the said Lord High Admiral or the said Commissioners may at any Time or Times direct, shall be made to the Keeper of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division, upon Production to him, by the said Governor, Keeper, or Superintendent, of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol or Prison.

Power to inflict Corporal Punishment in certain Cases.

28. Any Court-martial may sentence any Marine to Corporal Punishment, not extending to Life or Limb, for Desertion or for disgraceful Conduct, Misbehaviour, or Neglect of Duty; but no Sentence of Corporal Punishment awarded by a Divisional Court-martial shall, except in the Case of Mutiny or gross Insubordination, be put in execution in Time of Peace without the Leave in Writing of the Officer commanding the District or Station in which the Court may be held, and no Sentence of Corporal Punishment shall exceed Fifty Lashes.

29. It

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29. It shall be lawful for any General, District, or Garrison Court-martial to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Periods prescribed herein-after or by the Articles of War, and in case of a Marine in addition to Corporal Punishment.

Power to inflict Corporal Punishment and Imprisonment.

30. In all Cases in which Corporal Punishment shall form the whole or Part of the Sentence awarded by any Court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or for the Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment for any Period not exceeding Forty-two Days, with or without Hard Labour, and with or without Solitary Confinement, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment, for any Period not exceeding Twenty Days, with or without Hard Labour, and with or without Solitary Confinement, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes, and the Solitary Confinement herein-before mentioned shall in no Case exceed Seven Days at a Time, with Intervals of not less than Seven Days between each Period of such Confinement.

Power to commute Corporal Punishment.

31. It shall be lawful for Her Majesty, in all Cases whatsoever, instead of causing a Sentence of cashiering to be put in execution, to order the Offender to be reprimanded, or, in addition thereto, to suffer such Loss of Army or Regimental Rank, or both, as may be deemed expedient.

Power to commute a Sentence of cashiering.

32. Any General Court-martial may, in addition to any other Punishment which such Court may award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, or to Forfeiture of any Annuity and Medal which may have been granted for former meritorious Service, or of the Gratuity and Medal awarded for former Good Conduct, and of all Medals and Decorations, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Punishment which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct,

Forfeiture of Pay and Pension by Sentence of Court-martial.

In wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of

 causing

causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Marine unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In tampering with his Eyes, with Intent thereby to render himself unfit for Service:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

33. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or found guilty by a Jury of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in *England*, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court

Court may award; and every Marine who may be so convicted, or who may be sentenced to Penal Servitude, or discharged with Ignominy, shall thereupon likewise forfeit all Medals which he may be in possession of, whether for Sea or Field Service or for Good Conduct, together with any Annuity or Pension or Gratuity, if any, thereto appertaining; and any Sergeant reduced to the Ranks by Sentence of Court-martial may, by the Order of the same Court, be made to forfeit any Annuity or Pension and Medal for meritorious Service, or any or either of them, which may have been conferred upon him.

Forfeiture of Pay when in Confinement;

34. If any Non-commissioned Officer or Marine, by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, or, being an Apprentice, by reason of his being allowed to serve out his Time with his Master, shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement or Prolongation of Service, as herein-after provided, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Marine was enlisted or re-engaged, or for which his Time of Service may have been prolonged; and no Marine shall be entitled to Pay, or to reckon Service towards Pay or Pension, when in Confinement under a Sentence of any Court, or during any Absence from Duty by Commitment or Confinement as a Deserter by Confession or under any Charge of which he shall be afterwards convicted, either by Court-martial or by any Court of ordinary Criminal Jurisdiction, or whilst in Confinement for Debt; and when any Marine shall be absent as a Prisoner of War he shall not be entitled to Pay, or to reckon Service towards Pay or Pension, for the Period of such Absence, but upon rejoining Her Majesty's Service due Inquiry shall be made by a Court-martial, and unless it shall be proved to the Satisfaction of such Court that the said Marine was taken Prisoner through wilful Neglect of Duty on his Part, or that he had served with or under, or in some Manner aided, the Enemy, or that he had not returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; and any Marine who shall be convicted of Desertion, or of Absence without Leave, shall, in addition to any Punishment awarded by the Court, forfeit his Pay for the Day or Days during which he was in a State of Desertion, or during his Absence without Leave; and if any Marine shall absent himself without Leave for any Period, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Marine shall

or during Absence on Commitment under a Charge, or in arrest for Debt;

or when Prisoner of War;

or when convicted of Desertion or Absence without Leave,

or when absent without Leave.

shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishment he is authorized to award, order that such Marine shall be imprisoned for such Period not exceeding One hundred and sixty-eight Hours, with or without Hard Labour, and with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Marine shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may moreover order that in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Marine who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days during which he shall have so absented himself; and in pursuance of any such Order as aforesaid, the Pay of the Marine shall be accordingly forfeited: Provided always, that such Marine shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so punished, ordered to suffer Imprisonment, Punishment, or Forfeiture as last aforesaid: Provided also, that any Marine who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeiture: Provided also, that it shall be lawful for the said Lord High Admiral or the said Commissioners to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Marine during the Period of Absence by any of the Causes aforesaid.

Forfeiture of Pay and Liquor for habitual Drunkenness.

35. Any General, Garrison, or District Court-martial before which any Marine shall be convicted of habitual Drunkenness shall deprive such Marine of such Portion of his Pay for such Period not exceeding Two Years, and under such Restrictions and Regulations as may accord with the Articles of War to be made in pursuance of this Act, subject to Restoration on subsequent good Conduct; and every Divisional or Detachment Court-martial shall deprive a Marine convicted of a Charge of habitual Drunkenness of such Portion of his additional or regular Pay for such Period not exceeding Six Months, and under such Restrictions and Regulations as may accord with the said Articles of War, subject to Restoration on subsequent good Conduct; and in addition to such Deprivation of Pay the Court may, if it shall think fit, sentence such Offender to any other Punishment whatsoever which the Court may be competent to award: Provided that a Marine so sentenced to the Forfeiture of Pay who shall be quartered or removed to a Station where Liquor forms a Part of his Ration, and is issued in Kind, shall be deprived of his Liquor in Kind, instead of being deprived of One Penny of his daily Pay,

Pay, for so long a Time as he shall remain in such Station, and such Sentence of Forfeiture of Pay shall remain in force.

36. Any Court-martial may sentence any Marine for being drunk on Duty under Arms to be deprived of a Penny a Day of his Pay for any Period not exceeding Sixty Days, and for being drunk when on any Duty not under Arms, or for Duty or on Parade or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, and such Deprivation may in either Case be in addition to any other Punishment whatsoever which such Court may award. Forfeiture of Pay for Drunkenness on Duty.

37. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good— Stoppages.

Any Bounty fraudulently obtained by him by Desertion from his Corps and enlisting in some other Corps or in the Militia:

Any Loss, Disposal of, or Damage occasioned by him in any of the Instances of disgraceful Conduct herein specified:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, his Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal or Decoration for Service or for general Good Conduct which may have been granted to him by Order of Her Majesty or by Order of the *East India* Company, or any Medal or Decoration which may have been granted to him by any Foreign Power, or any Loss, Disposal of, or Destruction of, or Damage or Injury to the Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries of any Officer or Marine, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss, Disposal of, or Destruction of, or Damage or Injury to Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing or repairing the same be made good, the Amount of any Loss, Disposal, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed

under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that when an Offender is put under Stoppages for making away with or pawning any Medal or Decoration, the Amount shall be credited to the Public, but the Medal or Decoration in question shall not be replaced, except under special Circumstances, to be determined by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral aforesaid: Provided also, that so much only of the Pay of the Marine may be stopped and applied as shall, after satisfying the Charges for Messing and Washing, leave him a Residue at the least of One Penny a Day.

Discharge with Ignominy.

38. Whenever any Marine shall have been convicted of Desertion or of any such disgraceful Conduct as is herein-before described, and the Court in respect of such disgraceful Conduct shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Marine, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service: Provided always, where an Award of any of the Forfeitures herein-before mentioned, or of Deprivation of Pay, or of Stoppages of Pay, shall have been added to a Sentence of Transportation or Penal Servitude, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, or, if in the *East Indies*, for the Officer commanding in chief Her Majesty's Land Forces in *India*, in the event of the Sentence of Transportation or Penal Servitude being commuted to Imprisonment, to order such Award of Forfeiture, Deprivation of Pay, or Stoppages of Pay to be enforced, mitigated, or remitted as may be deemed expedient.

Marking Deserters or Marines discharged with Ignominy.

39. On the first and on every subsequent Conviction for Desertion the Court-martial, in addition to any other Punishment, may order the Offender to be marked, Two Inches below and One Inch in rear of the Nipple of the Left Breast, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder or other Preparation, so as to be clearly seen and not liable to be obliterated; a Court-martial recommending that an Offender be discharged with Ignominy may also recommend that he be marked on the Right Breast with the Letters B.C., and such Recommendation may legally be carried into effect by the proper Authorities.

Power of Imprisonment by different Kinds of Courts-martial.

40. A General or District or Garrison Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, in no Case exceeding Fourteen Days at a Time, nor Eighty-four Days in any

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any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall exceed Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days in any One Month of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Divisional or Detachment Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Marine be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with Intervals between them of not less Duration than such Periods of Solitary Confinement: Provided always, that when any Court-martial, whether General, Garrison, or District, or Divisional or Detachment, shall direct that the Imprisonment shall be Solitary Confinement only, or when any Sentence of Corporal Punishment shall have been commuted to Imprisonment only, the Period of such Solitary Confinement shall in no Case exceed Fourteen Days.

Imprisonment of Offender already under Sentence.

41. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence, either of Imprisonment or of Penal Servitude, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he shall have been so previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude respectively may exceed the Term for which either of those Punishments could be otherwise awarded.

Term and Place of Imprisonment.

42. Save as herein specially provided, every Term of Penal Servitude or Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall be signed by the President; and the Place of Imprisonment under the Sentences of Courts-martial shall be appointed by the Court or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Commanding Officer of the Division to which the Offender belongs or is attached, or the Officer commanding the District, Garrison, Island, or Colony.

Proviso for Removal of Prisoners.

43. In the Case of a Prisoner undergoing Imprisonment under Sentence of a Court-martial, or as Part of commuted Punishment, in any public Prison other than a Military Prison, or in any Gaol or House of Correction or elsewhere, in any Part of the United Kingdom, it shall be lawful for the said Lord High Admiral, or the Commis-

sioners

sioners for executing the Office of Lord High Admiral for the Time being, in all Cases, or for the Officer who confirmed the Proceedings of the Court, or the Officer commanding the Division or the District or Garrison in which such Prisoner may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than a Military Prison, or in any Gaol or House of Correction, in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the said Lord High Admiral or the said Commissioners, or for the Officer commanding the Royal Marines there serving, in the Case of any such Prisoner, to give as often as Occasion may arise an Order in Writing, directing that the Prisoner be discharged, or be delivered over to Military or other Custody, whether for the Purpose of being removed to some other Prison or Place in any Part of Her Majesty's Dominions, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial, either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or House of Correction, either within the United Kingdom or elsewhere, to some other Prison or Place, either in the United Kingdom or elsewhere, the Officer or Authorities who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler, or Keeper of such other Prison or Place to receive such Prisoner into his Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to Military or other Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, the Secretary of State for War, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military or other Custody as may be lawfully exercised by any of the Authorities above mentioned in respect of any Prisoners undergoing

going Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly, on the Production of any such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military or other Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place, and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Custody of Prisoners under Military Sentence in Common Gaols.

44. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, or of any Gaol or House of Correction in any Part of Her Majesty's Dominions, shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or from the Officer commanding the Division or Detachment to which the Offender belongs or did last belong or is attached, which Order shall specify the Period of Imprisonment or Remainder of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released or be otherwise disposed of; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time, under an Order duly made for that Purpose; and whenever Marines are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Marine for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding such Marine; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Marine Offender in the Manner herein prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Subsistence of Prisoners in Common Gaols.

45. The Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Marine imprisoned therein under the Sentence of a Court-martial or as a

Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Marine during the Period of his Imprisonment Sixpence *per Diem* or such other Sum as the said Lord High Admiral or the said Commissioners may at any Time or Times direct, which the Secretary of the Admiralty shall cause to be issued out of the Subsistence of such Marine, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem*, or such other Sum as aforesaid, shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed.

Notice to be given of Expiration of Imprisonment in Common Gaols.

46. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to know or believe that any Person in his Custody for any Debt or Contempt, or upon any Charge or for any Offence, civil, criminal, or military, is a Marine, shall on receiving him into Custody give Notice thereof to the Secretary of the Admiralty, and also, previous to the Expiration of the Period of the Confinement or Imprisonment of such Marine, give to the Secretary of the Admiralty One Month's Notice of the Period of such Expiration of Confinement or Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, specifying the Day and Hour of the Day on and at which he is to be released; and for every Default of giving either or any of such Notices such Gaoler or Person shall forfeit the Sum of Twenty Pounds; and moreover, every Gaoler or other Person having such immediate Inspection as aforesaid shall, as soon as any such Marine shall be entitled to be discharged out of Custody, with all convenient Speed, safely and securely conduct and convey and safely and securely deliver every such Marine either unto the Officer commanding at the nearest Head Quarters of the Royal Marines or to the Officer commanding Her Majesty's Ship to which any such Marine may happen to belong, unless the said Commissioners shall, by Writing under the Hand of the Secretary of the Admiralty, or the Officer commanding at the nearest Head Quarters of the Royal Marines, or the Officer commanding Her Majesty's Ship to which any such Marine may belong, shall, by Writing under his Hand, direct that such Marine be delivered to some other Officer or Person, in which Case he shall be delivered to such other Officer or Person accordingly, and the Officer or Person to whom such Marine shall be so delivered in accordance with this Act shall thereupon give to such Gaoler or Person delivering up such Marine a Certificate, directed to the Secretary of the Admiralty, specifying the Receipt of such Marine, and if such Gaoler or other Person as aforesaid has conducted or conveyed

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any such Marine specifying the Place from and to which he shall have been conducted and conveyed as aforesaid; and such Gaoler or Person who shall have so conducted, conveyed, and delivered any such Marine shall, upon the Production of such Certificate, be entitled to receive of and from the Accountant General of Her Majesty's Navy the Sum of One Shilling *per* Mile, and no more, for conducting, conveying, and delivering any such Marine as aforesaid; and every such Gaoler or other Person having such immediate Inspection as aforesaid who shall not safely and securely conduct, convey, or deliver any such Marine as aforesaid shall for every such Misconduct or Offence forfeit and pay the Sum of One hundred Pounds. In all Cases where the Marine in Custody is under Sentence to be discharged from the Service on the Completion of his Term of Imprisonment, and the Discharge Document is in the Hands of the Gaoler, such Gaoler shall not be required to make any Report thereof to the Secretary of the Admiralty or to the Deputy Adjutant General of Marines.

Military Prisons established under any Act for punishing Mutiny and Desertion in the Army to be deemed public Prisons.

47. Every Military Prison which shall be established under or by virtue of any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall be deemed to be public Prisons within the Meaning of any Act now in force or hereafter to be in force for the Regulation of Her Majesty's Royal Marine Forces; and any Officer or Marine convicted by a Court-martial may be sent, by Order of the Commissioners for executing the Office of Lord High Admiral, to any such Military Prison, there to undergo such Punishment as may be awarded by the Sentence passed upon him, or until he be discharged or delivered up by an Order, as in the Case of a Discharge or Removal from any other Prison under this Act.

Musters, and Penalty on false Musters.

48. Musters, as have been customary, shall be taken of every Division or Company of Royal Marines once in every Calendar Month, as shall be appointed; and no Officer or Marine shall be absent from any such Muster, unless duly certified to be employed on some other Duty of the Corps, or sick, or in Prison, or on Furlough; and every Person belonging to Her Majesty's Service who shall give or procure to be given any untrue Certificate thereby to excuse any Person from any Muster or other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or who shall willingly allow or sign any false Muster or Duplicate thereof, or shall directly or indirectly take or receive any Money or Gratuity for mustering any Person, or for signing any Muster Roll or Duplicate, or shall knowingly muster any Person by a wrong Name, shall, upon Proof by Two Witnesses before a General Court-martial, for any such Offence be sentenced to be cashiered: Provided that it shall be lawful for Her Majesty, in all Cases whatsoever, instead of

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causing a Sentence of cashiering to be put in execution, to order the Offender to be reprimanded, or, in addition thereto, to suffer such Loss of Rank as may be deemed expedient; and any Person who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Proof thereof by the Oaths of Two Witnesses before some Justice of the Peace residing near to the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged; and if any Person not belonging to Her Majesty's Service shall give or sign any untrue Certificate of Illness or otherwise in order to excuse any Officer or Marine from Appearance at any Muster, or whereby Her Majesty's Service may be defrauded, every Person so offending shall for every such Offence forfeit the Sum of Fifty Pounds.

Verifying of Muster Rolls.

49. All Muster Rolls and Pay Lists of Royal Marines required to be verified upon Oath shall be sworn before and attested by any Justice of the Peace, without Fee or Reward to himself or his Clerk.

Trials for Desertion after subsequent Re-enlistment.

50. Every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have unlawfully enlisted, although he may of right belong to another Corps, and be a Deserter therefrom; and whether such Marine shall be tried for deserting from the Corps to which he may of right belong, or from the Corps into which he may have unlawfully enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may at the Time be taking his Trial may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Apprehension of Deserters.

51. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then for any Officer or Marine or Soldier in Her Majesty's Service, or other Person, to apprehend or cause to be apprehended such suspected Person, and forthwith to bring him or cause him to be brought before any Justice living in or near the Place where he was so apprehended, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and from Time to Time to defer the said Inquiry, and to remand the said suspected Person, in the Manner prescribed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-two, Section Twenty-one, and subject to every Provision therein contained; and if it shall appear to the Satisfaction of such Justice, by the Testimony of One or more Witnesses taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence upon Oath or by the Knowledge of such Justice, that such

such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Division to which he belongs, if stationed within a convenient and easily accessible Distance from the Place of Commitment, or if not so stationed then to the nearest or most convenient public Prison (other than a Military Prison) or Police Station legally provided as the Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed, or not; or if the Deserter has been apprehended by a Party of Marines in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account of the Proceedings, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of the Admiralty, specifying thereon whether such Deserter was delivered to a Party of Marines in order to his being taken to the Head Quarters or Depôt of his Division, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, or Deputy Adjutant General of Royal Marines, and proceeded against according to Law; and such Justice shall also send to the Secretary of the Admiralty a Report stating the Names of the Persons by whom or by or through whose Means the Deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Person so certified to be entitled thereto; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also, upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of the Admiralty, and transmit also to the Secretary of the Admiralty a Copy of the Commitment, to the end that the Secretary of the Admiralty may order Repayment of such Fees; and that when any Person shall be apprehended and committed as a Deserter in any such Foreign Dominions, the Justice shall forthwith cause him to be conveyed to some public Prison, if the Detachment to which he is suspected to belong shall not be in such Part, or if the Detachment

be in such Part, the Justice may deliver him into Custody at the nearest Military Post, although the Detachment to which such Person is suspected to belong may not be stationed at such Military Post, if within reasonable Distance; and such Justice shall in every Case transmit to the Officer commanding a Description Return in the Form prescribed in the Schedule to this Act annexed, to the end that such Person may be removed by the Order of such Officer, and proceeded against according to Law; and such Description Return, purporting to be duly made and subscribed in accordance with the Act, shall, in the Absence of Proof to the contrary, be deemed sufficient Evidence of the Facts and Matters therein stated: Provided always, that any such Person so committed as a Deserter in any Part of Her Majesty's Dominions shall, subject to the Provisions herein-after contained, be liable to be transferred, by Order of the Colonel Commandant or other Officer commanding, to serve in any Division, Corps, Detachment, or Party nearest to the Place where he shall have been apprehended, or to any other Division, Corps, Detachment, or Party to which the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral may deem it desirable that he should be transferred, and shall also be liable after such Transfer of Service to be tried and punished as a Deserter.

Transfer of Deserters.

Penalty on Marines attempting to desert from Head Quarters.

52. For and in respect of any Marine attempting to desert from any Head Quarters, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon the delivering up of such Marine, which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Marine.

Temporary Custody of Deserters in Gaols.

53. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, is hereby required to receive and confine therein every Deserter who shall be delivered into his Custody by any Marine or other Person conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Admiralty, which Order shall continue in force until the Deserter shall have arrived at his Destination; and such Gaoler or Keeper shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by the said Lord High Admiral or the said Commissioners.

Fraudulent Confession of Desertion.

54. Any Person who, while serving in Her Majesty's Navy or in any of Her Majesty's Forces, or the Embodied Militia, shall to any Officer, or Subordinate, Warrant, Petty, or Non-commissioned Officer, fraudulently confess himself to be a Deserter from Her Majesty's

Majesty's Royal Marine Forces, shall be liable to be tried by any Court-martial under this Act, and punished according to the Sentence thereof; and any Person who shall voluntarily deliver himself up as and confess himself to be a Deserter from Her Majesty's Royal Marine Forces, or who, upon being apprehended for any Offence, shall in the Presence of the Justice confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Marine, and shall be liable to serve in Her Majesty's Royal Marine Forces, whether such Person shall have been ever actually enlisted as a Marine or not; or in case such Person shall not be a Deserter from the Royal Marine Forces, or shall have been discharged therefrom or from any other Corps for any Cause whatever, or shall be incapable of Service, he shall, on Conviction thereof before Two Justices of the Peace at or near the Place where he shall deliver himself up or confess, or where he may at any Time happen to be, be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if elsewhere, by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Months, or shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England* or *Ireland*, of an Act passed in the Session holden in the Twenty-fourth and Twenty-fifth Years of Queen *Victoria*, intituled *An Act to consolidate and amend the Statute Law of* England *and* Ireland *relating to Larceny and other similar Offences*, or, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, (as the Case may be,) shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Marine by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, (as the Case may be,) and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished in *England* as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction of the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of

24 & 25 Vict. c. 96.

of the Record of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed such Certificate; and if the Person so confessing himself to be a Deserter shall be serving at the Time in Her Majesty's Royal Marine Forces he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

Punishment for inducing Marines to desert.

55. Any Person who shall, in any Part of Her Majesty's Dominions, by Words or by any other Means whatsoever, directly or indirectly procure or persuade any Marine to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Marine to desert, and any Person who, knowing that any Marine is about to desert, shall aid or assist him in deserting, or, knowing any Marine to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, or aid or assist in his Rescue, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof before any Two Justices acting for the County, District, City, Burgh, or Place where any such Offender shall at any Time happen to be, be liable to be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justices shall think fit.

Extension of Furlough in case of Sickness.

56. When there shall not be any Officer of Her Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine, not borne on the Books of any of Her Majesty's Ships or Vessels in Commission as aforesaid, and who shall be on Furlough, shall be detained by Sickness or other Casualty rendering necessary an Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment according to the Provisions of this Act for any false Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough,

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Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Marines liable to be taken out of Her Majesty's Service only for Felony and certain Misdemeanors, or for Debts amounting to 30*l.* and upwards;

57. Any Person enlisted into Her Majesty's Royal Marine Forces as a Marine, or who has received Marine Enlistment Money, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony, or on account of Misdemeanor or of any Crime or Offence other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least over and above all Costs of Suit, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Fact sworn to, and the Day of filing such Affidavit; but no Marine or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatsoever, or to be taken out of Her Majesty's Service by any Writ, Summons, Order, Warrant, Judgment, Execution, or any Process whatever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Marine or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order in that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Marine is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaint made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the

but not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Marine out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body or Marine Necessaries or Equipments of such Marine: Provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound under the Age of Twenty-one Years, as herein prescribed.

Officers not liable to take Parish Apprentices.

58. No Officer of Her Majesty's Royal Marine Forces residing in Barracks or elsewhere under Military Law shall be deemed liable to have any Parish poor Child bound Apprentice to him.

Officers not to be Sheriffs, Mayors, &c.

59. No Person who shall be commissioned and in Full Pay as an Officer in the Royal Marine Forces, or who shall be employed in enlisting for such Forces, shall be capable of being nominated or elected to be Sheriff, and no such Officer and no Non-commissioned Officer of such Forces shall be capable of being nominated or elected to be a Constable, or Overseer, Guardian of any Union, or any Officer of a like Description, of any County, Hundred, Riding, City, Borough, Town, Division, Parish, or other Place, or to be Mayor, Portreeve, Alderman, or to hold any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*, or be summoned or shall serve as a Grand or Petit or other Juror or upon any Inquest, and any Summons for him to attend to serve as a Grand or Petit or other Juror or upon an Inquest shall be null and void; and every such Person is hereby exempted from Attendance and Service in accordance with any such Summons, and from all Fines, Pains, and Penalties for or in consequence of not attending or serving as aforesaid.

Questions to be put to Recruits on enlisting.

60. Every Person authorized to enlist Recruits for the Royal Marines shall first ask the Person offering to enlist whether he belongs to the Militia, and also such other Questions as the said Lord High Admiral or the said Commissioners may direct to be put to Recruits, and shall, immediately after giving him Enlisting Money, serve him with a Notice in the Form set forth in the Schedule to this Act annexed.

Recruits when deemed to be enlisted.

61. Every Person who shall receive Enlisting Money in manner aforesaid shall upon such Receipt be deemed to be enlisted as a Marine

Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted.

62. Every Person so enlisted as aforesaid shall, within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Marines, in order that he may be attested by making the Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and previously to such Appearance, some Person employed in the Recruiting Service shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions that are requisite for that Purpose, and cautioning him that if he should make any wilfully false Answer thereto he will be liable to be punished as a Rogue and a Vagabond.

When Recruits to be taken before a Justice.

63. When a Recruit, upon appearing before a Justice for the Purposes aforesaid, shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Commandant of the Division for which the Marine shall have enlisted; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless, upon Repayment of the Enlisting Money and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he shall be entitled to be discharged; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary of the Admiralty and to the said Commandant, shall be paid over to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall, in every Case, give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Dissent and Relief from Enlistment.

64. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration and taken the Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested, and the Fee for such Attestation, including

Attesting of Recruits.

including the Declaration and Oath, shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits until they have been attested or received Pay not triable by Court-martial, but in certain Cases punishable as Rogues and Vagabonds.

65. No Recruit, unless he shall have been attested or shall have received Pay other than Enlisting Money, shall be liable to be tried by Court-martial; but if any Recruit, previously to his being attested, shall by means of any false Answer obtain Enlistment Money or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices within the United Kingdom, or for any One Justice out of the United Kingdom, acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be, when he shall be brought before them or him, if in *England*, to adjudge him to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland*, or elsewhere in Her Majesty's Dominions, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months; and the Declaration made by the Recruit on his Attestation, purporting to be made and subscribed in accordance with the Schedule to this Act annexed, shall, in the Absence of Proof to the contrary, be deemed sufficient Evidence of such Recruit having represented the several Particulars as stated in such Declaration; and any Marine who shall have given any false Answer at the Time of or relative to his becoming a Marine shall forfeit all Pay, Wages, and other Monies, be the same Naval, Marine, or otherwise, which he might otherwise have been entitled to for any Period of Service in the Royal Marines.

Attested Recruits triable in some Cases either before Two Justices or before a Court-martial.

66. Any Recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable at the Discretion of the said Lord High Admiral or the said Commissioners to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Recruits absconding.

67. If any Recruit shall abscond so that it is not possible immediately to apprehend and bring him before a Justice for Attestation, the Recruiting Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for that Purpose a Certificate

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Certificate of the Name and Place of Residence, and Description of such Recruit and of his having absconded, and shall declare the same to be true, and the Justice to whom such Certificate shall be produced shall transmit a Duplicate thereof to the Secretary of the Admiralty in order that the same may appear in the Police Gazette.

As to Militiamen enlisting into Regular Forces.

68. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Royal Marines, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for War, on the Confession thereof by such Militiaman or on other Proof thereof, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, to be applied as the Secretary of State for War shall direct, and further to determine whether such Man shall be returned to his Militia Regiment after such Sum shall have been made good, or shall be deemed to be a Marine in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation, in which latter Case his Service as a Marine shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired.

Volunteer Permanent Staff Officers enlisting into Regular Forces.

69. If any Non-commissioned Officer of the Volunteer Permanent Staff shall enlist into the Royal Marines, he may be tried and punished as a Deserter, but if he confesses his Desertion the Secretary of State for War, instead of causing him to be tried and punished as a Deserter, may cause him to be returned to his Service on the Volunteer Permanent Staff, to be there put under Stoppages from his Pay until he has repaid the Amount of any Bounty received by him, and the Expenses attending his Enlistment, and also the Value of any Arms, &c., issued to him while on the Volunteer Permanent Staff, and not duly delivered up by him, or may cause him to be held to his Service in the Royal Marines with a Direction, if it seems fit, that his Term of Service therein shall not be reckoned for Pension until the Time when his Engagement on the Volunteer Permanent Staff would have expired, and may further cause him to be put under Stoppages of One Penny a Day of his Pay until he has repaid the Expense attending his Engagement or Attestation on the Volunteer Permanent Staff, and also the Value of any Arms, Clothing, or Appointments issued to him while on the Volunteer Permanent Staff, and not duly delivered up by him.

Penalty on Officers offending as to Enlistment.

70. Every Person subject to this Act who shall wilfully act contrary to any of its Provisions in any Matter relating to the enlisting or attesting of Recruits for Her Majesty's Service shall be liable to be tried for such Offence by a General Court-martial, and to be sentenced to such Punishment, other than Death or Penal Servitude, as such Court may award.

 71. It

As to Re-enlistment abroad.

71. It shall be lawful for any Justice of the Peace or Person exercising the Office of a Magistrate within any of Her Majesty's Dominions abroad, or for the Officer commanding any Ship or Vessel of Her Majesty on the Books of which any Marine may be borne, or on board of which any such Marine may be, or, notwithstanding anything in this Act contained, for the Commanding Officer of any Battalion or Detachment of Royal Marines, whether borne on the Books of any One of Her Majesty's Ships or otherwise, to re-engage or enlist and attest out of *Great Britain* or *Ireland* any Marine desirous of re-enlisting or re-engaging into Her Majesty's Royal Marine Forces, if such Marine be considered by such Commanding Officer, Justice, or Magistrate a fit Person to continue in Her Majesty's Service, and every such Commanding Officer, Justice, or Magistrate shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices of the Peace in the United Kingdom for all such Purposes of Enlistment and Attestation, and any Marine so re-enlisted or re-engaged shall be deemed to be an attested Marine.

Apprentices enlisting to be liable to serve after the Expiration of their Apprenticeship.

72. Any Person duly bound as an Apprentice who shall enlist into Her Majesty's Royal Marine Forces, and shall falsely state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money by false Pretences, if in *England* or in *Ireland*, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Marine according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, such Person may be taken as a Deserter from Her Majesty's Royal Marine Forces.

Claims of Masters to Apprentices.

73. No Master shall be entitled to claim an Apprentice who shall enlist as a Marine in Her Majesty's Service unless such Master shall, within One Calendar Month next after such Apprentice shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and at the Time of making his Claim produce to the Officer under whose Command the Recruit shall be the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; nor unless such Apprentice shall have been bound, if in *England*, for the full Term of Five Years, (not having been above the Age of Fourteen Years when so bound,) and if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, (not having been above the Age of Sixteen when so bound,) and if in *Scotland* for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland* prior to the

the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign; nor unless any such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Five or Four Years as aforesaid: Provided also, that any such Master who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

No Apprentice claimed by the Master shall be taken away without a Warrant.

74. No Apprentice claimed by his Master shall be taken from any Division, Detachment, Recruiting Party, or Ship of Her Majesty, except under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, and before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath (which Oath he is hereby empowered to administer), and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the County, Division, or Place for which such Justice is acting, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of such County, Division, or Place, unless the Court shall for just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justice that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Punishment of Apprentices enlisting.

75. No

Removal of Doubts as to Attestation of Marines.

75. No Person who shall for Six Months, and either before or after the passing of this Act, have received Pay and be borne on the Strength and Pay List of any Division of Her Majesty's Royal Marine Forces, of which the last Quarterly Pay List (if produced) shall be Evidence, or been borne as a Marine on the Books of any of Her Majesty's Ships in Commission, shall be entitled to claim his Discharge on the Ground of Error or Illegality in his Enlistment or Attestation, or on any other Ground whatsoever, but, on the contrary, every such Person shall be deemed to have been duly enlisted and attested.

Power to Admiralty to order Pay to be withheld.

76. It shall also be lawful for the Lord High Admiral, and also for the said Commissioners for executing the Office of Lord High Admiral, to give Orders for withholding the Pay of any Officer or Marine for any Period during which such Officer or Marine shall be absent without Leave, or improperly absent from his Duty, or in case of any Doubt as to the proper Issue of Pay to withhold it from the Parties aforesaid until the said Lord High Admiral or the said Commissioners shall come to a Determination upon the Case.

Billeting of Marines.

77. And whereas there is and may be Occasion for the marching and also for the quartering of the Royal Marine Forces when on shore: Be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, or upon the Order or Orders in Writing in that Behalf under the Hand of any Colonel Commandant or Commanding Officer of any Division of Royal Marines, it shall be lawful for all Constables and other Persons specified in this Act in *Great Britain* and *Ireland*, and they are hereby required, to billet the Officers and Marines, whether marching or otherwise, and all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of the Houses in which they are so billeted, and be furnished by such Victualler with proper Accommodation in such Houses, and with a separate Bed for each Marine, or if any Victualler shall not have sufficient Accommodation in the House upon which a Marine is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *Great Britain* with Diet and Small Beer, and in *Great Britain* and *Ireland* with Stables, Oats, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Marines are on

on their March shall any of them be billeted above One Mile from the Place mentioned in the Route, Care being always taken that the Billets be made out for the less distant Houses in which suitable Accommodation can be found before making out Billets for the more distant; and in all Places where Marines shall be billeted in pursuance of this Act, the Officers and their Horses shall be billeted in one and the same House, except in case of Necessity; and the Constables are hereby required to billet all Marines on their March in the Manner required by this Act upon the Occupiers of all Houses within One Mile of the Place mentioned in the Route, and whether they be in the same or a different County in like Manner in every respect as if such Houses were all locally situated within such Place: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and shall undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present, or to the Non-commissioned Officer on the Spot; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Marines are billeted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billeted upon other Persons as they shall see Cause; and when any Horses belonging to the Officers of Her Majesty's Royal Marine Forces shall be billeted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person or Persons having Stables, and who are by this Act liable to have Officers and Marines billeted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses respectively; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or to enlarge

the District within which Billets shall be required, in such Manner as shall appear to be most convenient to Her Majesty's Service: Provided also, that to prevent or punish all Abuses in billeting Marines, it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Marines are billeted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to the Houses: Provided always, that no Officer shall be compelled or compellable to pay anything for his Lodging where he shall be duly billeted: Provided also, that no Justice being an Officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing Quarters under this Act.

Allowance to Inn-keepers.

78. The Innholder or other Person on whom any Marine is billeted in *Great Britain* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days, when halted at any intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previously to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence, and Twopence Halfpenny for a Bed; and all Innholders and other Persons on whom Marines may be billeted in *Great Britain* or *Ireland*, except when on the March in *Great Britain*, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with a Bed and with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of Fourpence *per Diem* for each Marine; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Royal Marine Forces shall be billeted, in *Great Britain* or *Ireland*, for Ten Pounds of Oats, Twelve Pounds of Hay, and Eight Pounds of Straw, shall be One Shilling and Ninepence *per Diem* for each Horse; and every Officer or Non-commissioned Officer commanding a Division, Detachment, or Party shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle and discharge the just Demands of all Victuallers or other Persons upon whom such Officers, Marines, or Horses are billeted, out of the Pay and Subsistence of such Officers and Marines, before any Part of the said Pay or Subsistence be paid or distributed to them respectively; and if any such Officer or Non-commissioned Officer

Officer shall not pay the same as aforesaid, then, upon Complaint and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situate, sitting in Quarter or Petty Sessions, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to Complainant, to order Payment of the Amount which shall be charged against such Officer; and in case of any Marines being suddenly ordered to march, and of the Commanding Officer or Non-commissioned Officer not being enabled to make Payment of the Sums due on account of Billets, every such Officer or Non-commissioned Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the Account of such Officer or Non-commissioned Officer.

Supply of Carriages.

79. For the regular Provision of Carriages for the Royal Marine Forces and their Baggage on their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by Order of the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, or any Colonel Commandant or Commanding Officer of a Division of Royal Marines, shall, on the Production of such Order, or a Copy thereof certified by the Commanding Officer, to them or any One or more of them, by the Officer or Non-commissioned Officer of the Party of Marines so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which such Marines shall be ordered to march, (for each of which Warrants a Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, Oxen, and Drivers therein mentioned, (allowing sufficient Time to do the same,) specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed the Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrant shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and in case sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Incon-

Inconvenience arising from there being no Justice residing near the Place where Marines may be quartered on the March, the Justice or Justices residing nearest to such Place shall cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, which List shall at all seasonable Hours be open to the Inspection of the said Persons, and shall by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages without any special Warrant from him for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, so far as the same can be done.

Rates for Carriages.

80. In every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *Great Britain*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses carrying not less than Fifteen Hundredweight, shall travel, Ninepence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundredweight, shall travel, Sixpence; and in *Ireland* for every Hundredweight loaded on any Wheel Carriage One Halfpenny *per* Mile; and in *Great Britain* such further Rates may be added, not exceeding a total additional Sum *per* Mile of Fourpence, Threepence, or Twopence to the respective Rates of One Shilling, Ninepence, and Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts, or to the Recorder at the Sessions of the Peace of any Municipal City, Borough, or Town; and the Order of such Justices or Recorder shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, and the Period for which the Order shall be enforced, not exceeding Ten Days, beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary of the Admiralty within Three Days after the making thereof; and also in *Great Britain*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation not exceeding the usual Rate of Hire fixed by this Act; and when additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding as his Voucher; and the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant

Warrant of a Justice shall, in *Great Britain*, pay down the proper Sums into the Hands of the Constable providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the proper Sums to the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable; and no Carriage shall be liable to carry more than Thirty Hundredweight in *Great Britain*, and in *Ireland* no Car shall be liable to carry more than Six Hundredweight, and no Dray more than Twelve Hundredweight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundredweight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Threepence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expense of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of Her Majesty's Service: Provided also, that a Cart with One or more Horses, for which the Furnisher shall receive Ninepence a Mile, shall be required to carry Fifteen Hundredweight at the least; and that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen or Weight of Loading of the aforesaid Carriages, nor shall any such Carriages on that Account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Marines from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays at his Discretion out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of Marines on any Pretence whatever.

As to Supply of Carriages, &c. in Cases of Emergency.

81. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Lord Lieutenant or Chief Governors of *Ireland*, by their or his Orders distinctly stating that a Case of Emergency doth exist, signified by the Secretary of the Admiralty, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any Commanding Officer of Her Majesty's

Royal Marine Forces in any District or Place, or to the chief acting Agents for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of the Lord High Admiral, or the said Commissioners, or Lord Lieutenant or Chief Governors aforesaid, to require all Justices within their several Jurisdictions in *Great Britain* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages kept for Hire, and of all Horses kept to draw Carriages licensed to carry Passengers, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, such Justice shall take all the same Proceedings in regard to such additional Supply so required on such Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon not only the Baggage, Provisions, and Military Stores of such Detachment, but also the Officers, Marines, Servants, Women, Children, and other Persons of and belonging to the same.

Justices of Peace to direct Payment of Sums expended for Carriages, &c.

82. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and the Condition of the Ways by which such Carriages and Vessels are to pass; and in *Scotland* such Justices shall

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shall direct such Payments to be made out of the Rogues Money and Assessments directed and authorized to be assessed and levied by an Act passed during the Session holden during the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Seventy-two.

Lord Lieutenant of Ireland may depute Persons to sign Routes.

83. It shall be lawful for the said Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency for the marching of any of Her Majesty's Royal Marine Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Exemption from Tolls.

84. All Officers and Marines on Duty or on their March, being in proper Uniform, Dress or Undress, and their Horses and Baggage, and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying any such Persons as aforesaid or their Baggage, or returning from conveying the same, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or in passing along or over any Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Prescription, Grant, or Custom, or by virtue of any Act or Ordinance, Order or Direction, of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine on Duty or on their March, who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary

Rate

Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

85. Every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days Marching Money) to enable him to reach his Home, or the Place at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his own Discharge, or be discharged on account of Misbehaviour, or at his own Desire, before the Expiration of his Period of Service, shall be entitled to any such Allowance.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

86. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Marines in any Part of the United Kingdom shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall demand more than the legal Rates for the same, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive any such Officer or Marine, or to afford him proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Oats, Hay, and Straw in *Great Britain* and *Ireland*, for each Horse, in such Quantities and at such Rates as herein-before provided, or if any Innkeeper or Victualler not having good

good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Marine or Marine Recruit with the view of fraudulently obtaining a Billet or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Penalty upon Officers of Marines so offending.

87. If any Officer of Royal Marines shall take upon him to quarter Men otherwise than is allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Justice, Constable, or other Civil Officer tending to deter and discourage any of them from performing any Part of their Duty under this Act, or to do anything contrary thereto, such Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided a Certificate of such Conviction be forthwith transmitted by the said Justices to the Secretary of the Admiralty, and that the Conviction be affirmed at some Quarter Sessions of the Peace for the said County to be held next after the Expiration of Three Months after such Certificate shall have been transmitted as aforesaid; and if any Marine Officer shall take or knowingly suffer to be taken from any Person any Money or Reward for excusing the quartering of Officers or Marines, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any House against the Consent of the Occupier, he shall for any of the said Offences, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Marine or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same shall be required, and can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any

Carriage than is directed by this Act, he shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty for forcible Entry in pursuit of Deserters without Warrant.

88. Every Marine Officer or Marine who shall, without Warrant from One or more of Her Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouse of any Person whomsoever, in Pursuit of any Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Penalty for purchasing Clothes, &c. from any Marine.

89. Any Person who shall detain, buy, or exchange, or otherwise receive from any Marine or Marine Deserter, or any other Person acting for or on his Behalf, upon any Account or Pretence whatsoever, or who shall solicit or entice any Marine or Marine Deserter, or shall be employed by any Marine or Marine Deserter, knowing him to be such, to sell any Arms, Ammunition, Medals for Good Conduct, or Distinguishment, or other Service, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, whether on shore or afloat, and whether the Marine or Marine Deserter or other Person be or be not borne on the Books of any One of Her Majesty's Ships, or be or be not embarked, or who shall have in his or her Possession or Keeping any Arms, Ammunition, Medals, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Spirits, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, and shall not give a satisfactory Account how he or she came by the same, or shall change or cause the Colour or Mark of any such Clothes, Appointments, Necessaries, Sheets, or other Articles to be changed or defaced, or who shall pawn, sell, or deposit in any Place or with any Person such Articles of Regimental Necessaries with or without the Consent of such Marine, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with treble the Value of all or any of the several Articles; and if any Person having been so convicted shall afterwards be guilty of any such Offence, he or she shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles, and shall, in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned with or without Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the former Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved

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to be a true Copy, shall be sufficient Evidence to prove such former Conviction; and if any credible Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority according to the Laws of that Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession or on his or her Premises any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, such Justice may and he is hereby required to grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon such Search any such Property shall be found the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before the same or any other Justice of the Peace, to be dealt with according to Law.

Penalty on unlawful recruiting.

90. Every Person (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Royal Marines, or shall open or keep any House or Place of Rendezvous or Office, or receive any Person therein under such Bill or Advertisement as connected with the Marine Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral, shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalty on killing Game without Leave.

91. For the better Preservation of the Game and Fish in or near Places where any Officer shall at any Time be quartered, every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom, shall for every such Offence forfeit the Sum of Five Pounds.

Limitations of Actions.

92. If any Action shall be brought against any Member or Members of a Court-martial to be assembled under the Authority of this Act, or of any Act heretofore passed for the Regulation of Her Majesty's Royal Marine Forces while on shore, in respect of the Proceedings or the Sentence thereof, or against any other Person, for anything done in pursuance or under the Authority of this Act, or of any Act heretofore passed for the Regulation of Her Majesty's Royal Marine Forces while on shore, the same shall be brought in some One of the Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, and shall be commenced within Six Months next after the Cause of Action shall arise, and it shall be lawful for the Defendant or Defendants therein, or in any such Action now pending, to plead thereto the General Issue, and to give all special Matter in Evidence on the Trial; and if

if the Verdict shall be for the Defendant in any such Action, or if the Plaintiff shall become nonsuit or suffer any Discontinuance thereof, or if, in *Scotland*, the Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the Matter shall be tried shall allow the Defendant Treble Costs, for the Recovery of which he shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants.

Recovery of Penalties.

93. All Offences for which any pecuniary Penalty or Forfeiture not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, is by this Act imposed, shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and Forfeiture of Value and Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture or Treble Value can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures or Treble Value as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions other than the United Kingdom, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of Her Majesty's Dominions in which the Offence shall be committed or the Offender may at any Time happen to be, and for Default of Payment the Offender shall be punished as if the Offence had been committed in the United Kingdom; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin* or in the Court of Session in *Scotland*, and in no other Court in the United

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

United Kingdom, and may be recovered in the *British Isles* or in any other Part of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

94. One Moiety of every such Penalty or Forfeiture, not including any Treble Value of any Articles, shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the Treble Value of such Articles, or, where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty and such Treble Value, shall be paid over and applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct, anything in an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall within Four Days thereafter at the furthest report the same, and his Adjudication thereof, to the Secretary of the Admiralty. Appropriation of Penalties. 5 & 6 W. 4. c. 76.

95. It shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, to grant or transfer any Licence for selling by Retail any Spirit, Beer, Wine, Cider, or Perry to any Person or Persons applying for the same who shall hold any Canteen under any Lease thereof, or by Agreement with any Department or other Authority under the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, without regard to the Time of Year, or any Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise or their proper Officers within their respective Districts shall also grant or transfer any such Licence as aforesaid; and such Persons holding such Canteens, and having such Licences as aforesaid, may sell therein Victuals, and all such exciseable Liquors as they shall be licensed and empowered to sell, without being subject for so doing to any Penalty or Forfeiture whatever. Licences of Canteens.

96. Any Justice in the United Kingdom within whose Jurisdiction any Marine shall be quartered on shore may summon such Marine before him, which Summons such Marine is hereby required to obey, and take his Examination in Writing upon Oath touching the Place of his last legal Settlement; and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer to be produced when required; which said Examination and such attested Copy thereof shall be at any Time admitted as good and legal Evidence as to such legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Mode of recording a Marine's Settlement.

Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination or a Copy of such attested Copy of Examination, if required: Provided also, that when no such Examination shall have been required, the Statement made on Oath by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Administration of Oaths. Perjury.

97. All Oaths and Declarations which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or other Person having Authority to administer Oaths and Declarations; and any Person giving false Evidence or taking a false Oath or Declaration where an Oath or Declaration is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury shall be cashiered, and every Marine or other Person amenable to the Provisions of this Act found guilty thereof by a General or other Court-martial shall be punished at the Discretion of such Court.

Definition of Terms.

98. All Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and to the Town of *Berwick-upon-Tweed;* and the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer of Royal Marines, or who are or shall be listed or in Pay as a Non-commissioned Officer or Marine; and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and to all Inspectors or other Officers of Police, and to High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act; and all Powers and Provisions for billeting Marines in Victualling Houses shall extend and apply to all Inns, Hotels, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drunk in their own Houses or Places

Places thereunto belonging, to all Houses of Persons licensed to sell Beer, Ale, Porter, Cider, or Perry by Retail, to be consumed or drunk in their Dwelling Houses or Premises, and to all Houses of Persons selling Brandy, Spirits, Strong Waters, Cider, or Metheglin by Retail in *Great Britain* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then Marines may be billeted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billeted in *Great Britain* in any private Houses or in any Canteen held or occupied under the Authority of the Admiralty, War, or Marine Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of that Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences; nor in the House of any Distiller kept for distilling Brandy and Strong Waters; nor in the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses; nor in the House or Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Marines not to be billeted in private Houses, &c.

99. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty-five until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-six inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-five until the First Day of *May* One thousand eight hundred and sixty-six inclusive; and within the Garrison of *Gibraltar*, and within the *Mediterranean* and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty-five until the First Day of *August* One thousand eight hundred and sixty-six inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the First Day of *September* One thousand eight hundred and sixty-five until the First Day of *September* One thousand eight hundred and sixty-six inclusive; and in all other Places from the First Day of *February* One thousand eight hundred and sixty-six until the First Day of *February* One thousand eight hundred and sixty-seven inclusive: Provided always, that this Act shall from and after the Receipt and Promulgation thereof, in General Orders in any Part of Her Majesty's Dominions, or elsewhere beyond the Seas, become and be in full Force, anything herein contained to the contrary notwithstanding.

Duration of Act.

SCHE-

SCHEDULE referred to by this Act.

Form of Oaths to be taken by Members of Courts-martial.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

YOU shall duly administer Justice, according to the Rules and Articles for the better Government of Her Majesty's Royal Marine Forces, and according to an Act now in force for the Regulation of the said Forces while on shore, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to your Conscience, the best of your Understanding, and the Custom of War in the like Cases: And you shall not divulge the Sentence of the Court until it shall be duly approved; neither shall you, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help you GOD.

Form of Oath of Judge Advocate.

I do swear, That I will not, upon any Account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law; and that I will not, unless it be necessary for the due Discharge of my official Duties, disclose the Sentence of the Court until it shall be duly approved.

So help me GOD.

Notice

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A.B.

TAKE Notice, That you enlisted with at o'Clock* on the Day of for the Royal Marines, and if you do not come forward to [*here name some Place*] on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representations at the Time of Attestation.

Signature of the Non-commissioned Officer serving the Notice. } _____

* At A.M. or P.M., as the Case may be.

DECLARATION to be made by RECRUIT on ATTESTATION,

I now residing in the Parish of in the County of , do solemnly and sincerely declare, That to the best of my Knowledge and Belief I was born in the Parish of (*a*) in or near the Town of (*b*) in the County of (*c*) , and am Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am married (that I am not a Widower; that I am a Widower, and that I have (*or* have not) Children) [*or* not married, *as the Case may be*]; that I do not belong to the Militia, or to the Naval Coast Volunteers, or Royal Naval Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military, Marine, or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit [*as the Case may be*], and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Royal Marines for the Term of [*the Blank after the Words* "Term of" *to be filled up with Twelve Years, if the Person enlisted is of the Age of Eighteen Years*

or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Twelve Years], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*
_____ *Signature of Witness.*

Note (*a*), (*b*), (*c*).—These blanks need not be filled up if the Recruit is unable to give the requisite Information.

OATH to be taken by a RECRUIT on ATTESTATION.

I DO make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand, _____ *Signature of the Recruit.*
_____ *Witness present.*

Declared and sworn before me at this Day of One thousand eight hundred and at o'Clock.

_____ *Signature of the Justice.*

DECLARATION to be made by a MARINE renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be*,] in the Division of the Royal Marine Forces; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, as a Marine, for a further Term of Years [*to be filled up with such Number of Years as shall be required to complete a total Service of Twenty-one Years*], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Marine.*
_____ *Signature of Witness.*

Declared before me, this Day of 186 .

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of last abscond and quit my Service without my Consent, and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and .

Sworn before me at this Day of One thousand eight hundred and .

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of , for the Term of Years and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

DESCRIPTION

Marine Mutiny.

DESCRIPTION RETURN of who was apprehended [*or* surrendered himself, *as the Case may be*] on the Day of and was committed to Confinement at on the Day of as Deserter from the Royal Marines.

Age * - - - - -	
Height - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - -	
Eyes - - - - -	
Marks - - - -	
Probable Date of Enlistment, and where	
Probable Date of Desertion, and from what Place - - - -	
Name and Occupation and Address of the Person by whom or through whose Means the Deserter was apprehended and secured -	
Particulars of the Evidence on which the Prisoner is committed; and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

——— *Signature and Address of Magistrate.*
——— *Signature of Prisoner.*
——— *Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

——— *Signature of Military Medical Officer, or of Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be, and if unfit, state the Cause of Unfitness.

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Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

***

Act not to render legal Works executed by Drainage Board that would otherwise have been illegal by injuriously affecting Lands, &c.

2. It is hereby declared, That, as against any Person owning or interested in any Land or other Property situate beyond the Limits of the Jurisdiction of the Board established by this Act, nothing contained in the said Drainage and Improvement of Lands Act (*Ireland*), 1863, or in the said Provisional Order, or in this Act, shall be construed to render legal any Work executed or to be executed by such Board that would, if the said Acts had not been passed, have been illegal by reason of its injuriously affecting such Land or Property; and any Damages adjudged to be paid by the said Board to any Person as aforesaid shall be deemed to be Part of the Costs incurred by such Board in defending legal Proceedings instituted against them, and shall be defrayed in manner in which the said Costs are authorized to be defrayed by "The Drainage and Improvement of Lands Act (*Ireland*), 1863."

Short Title.

3. This Act may be cited for all Purposes as "The Drainage and Improvement of Lands Supplemental Act, *Ireland*, 1865."

SCHE-

SCHEDULE to which this Act refers.

PART 1.

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND), 1863, 26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.

In the Matter of RATHDOWNEY DRAINAGE DISTRICT, Queen's County.

WHEREAS certain Proprietors of and Persons interested in the Lands adjoining Erkina River and tributary Streams in the Queen's County on or about the Eighteenth Day of March One thousand eight hundred and sixty-four presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, accompanied by the proper Schedules, Maps, Plans, Sections, and Estimates, together with other Particulars and Information required by the said Act, showing, by Reference to the said Maps, the Boundaries and Area of the proposed Drainage District, and stating the Exigencies rendering the Formation of such Drainage District necessary, and praying that an Inspector might be authorized by the said Commissioners, and sent to the proposed District, to make the necessary Inquiries with respect to the Propriety of constituting the proposed District, and otherwise to proceed under the said Act for the Purpose of having the said District (if it should seem so expedient) formed under the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Act: And whereas all Notices and Inquiries required by the said Act have been duly given and made; and the said Inspector has duly reported to us the said Commissioners in Writing the Result of his Inquiries, and we the said Commissioners have duly considered the same, and no Objections to the Report of the said Inspector have been made to us, and all Preliminaries required by the said Act to precede the making of this Provisional Order have been performed and complied with: And whereas we the said Commissioners of Public Works in Ireland, upon Consideration of the Premises, are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts in Value of the Lands in the proposed District are in favour thereof, and have subsequently to the Date of the Report of the said Inspector assented thereto in Writing: Now, therefore, in pursuance of the Power given to us by the said Act, we, the Commissioners of Public Works in Ireland, do, by this Provisional Order under our Common Seal, constitute the Area in the said Petition and Report, and the Boundaries and Extent of which are set forth within Yellow Lines on a certain Map marked with the Letter A., to which we have caused our Common Seal to be attached (and which Map is deposited in the Office of Public Works in Ireland), a separate Drainage District by the Name of "The Rathdowney Drainage District:" And we do declare that the Lands to be purchased for the proposed Works in such District (subject to such Alterations and Deviations therefrom as we the said Commis-

Commissioners may hereafter sanction) are the Lands in that Behalf shown and set forth in the said Map and the Schedule thereto annexed, marked with the Letter B., and also sealed with our Common Seal; and we, the said Commissioners of Public Works, do, by this our Order, order and direct that the Time for Completion of the necessary Works in the said District shall be limited to the First Day of May which will be in the Year One thousand eight hundred and sixty-six.

And we do further by this our Provisional Order make the following Regulations with respect to the Drainage Board:

That the Drainage Board for the said District shall consist of Five Members:

That the following Persons shall be the Members of the First Drainage Board; viz.:

1. Mathew Henry Franks, Esquire, Westfield Farm, Mountrath;
2. Robinson G. Perry, Esquire, Rathdowney;
3. Sir Patrick O'Brien, Baronet, M.P., 14, Merrion Square East, Dublin;
4. The Reverend Henry Herbert, Rathdowney; and
5. James Howard, Rathdowney:

That the First Meeting of the said Board shall be summoned by Notice under the Hands of any Two or more of the said Board, published in the Dublin Gazette and some Newspaper generally circulated in the said District at least Fourteen Days next before the Day of meeting:

That the Qualification of any subsequent Member of the said Board shall be, that he shall be the Proprietor (as defined by the said Act and the Acts referred to therein or incorporated therewith) of not less than Twenty Acres of Land situate within the Area of the said District, or the Land Agent for the Time being of a Person being a Proprietor as aforesaid of not less than One hundred Acres of Land situate within the Area of said District, and acting as Receiver of the Rents and Profits of such Lands:

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following the Date of this Provisional Order:

That the Electors for Members of the Drainage Board shall be the Persons in that Behalf mentioned in the said Act: Provided always, that no such Elector shall be entitled to vote or exercise any Privilege as such, unless the Land of which he is the Proprietor, or some Portion thereof, shall be rateable on account of the Works in the District, and he shall have previously paid all Rates or Arrears of Rates which may be payable by him in respect of any Drainage Rate for the aforesaid District:

In witness whereof, we, the said Commissioners of Public Works in Ireland, have hereunto caused our Common Seal to be affixed, this Seventh Day of January One thousand eight hundred and sixty-five.

E. Hornsby, (L.S.)
Secretary.

Office of Public Works,
Dublin.

PART 2.

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND), 1863, 26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.

In the Matter of The SILVER RIVER DRAINAGE DISTRICT in the King's County and County of Westmeath.

WHEREAS certain Proprietors of and Persons interested in the Lands adjoining Silver River, on or about the Eighteenth Day of May One thousand eight hundred and sixty-four, presented their Petition to the Commissioners of Public Works in Ireland under the Provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, accompanied by the proper Schedules, Maps, Plans, Sections, and Estimates, together with other Particulars and Information as required by the said Act, showing, by Reference to the said Maps, the Boundaries and Area of the proposed Drainage District, and stating the Exigencies rendering the Formation of such Drainage District necessary, and praying that the said Lands within the proposed District should be constituted a separate Drainage District, under the Provisions of the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Act: And whereas all Notices and Inquiries required by the said Act have been duly given and made, and the said Inspector has duly reported to us the said Commissioners in Writing the Result of his Inquiries, and we the said Commissioners have duly considered the same, and no Objections to the Report of the said Inspector have been made to us, and all Preliminaries required by the said Act to precede the making of this Provisional Order having been performed and complied with, we, the said Commissioners of Public Works in Ireland, upon Consideration of the Premises, are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts in Value of the Lands in the proposed District are in favour thereof, and have subsequently to the Date of the Report of the said Inspector assented thereto in Writing: Now, therefore, in pursuance of the Power given to us by the said Act, we, the Commissioners of Public Works in Ireland, do, by this Provisional Order, under our Common Seal, constitute the Area in the said Petition and Report, and the Boundaries and Extent of which are set forth within Yellow Lines on a certain Map to which we have caused our Common Seal to be attached (and which Map is deposited in the Office of Public Works in Ireland), a separate Drainage District by the Name of "The Silver River Drainage District:" And we do declare that the Lands to be purchased for the proposed Works in said District (subject to such Alterations and Deviations therefrom as we the said Commissioners may hereafter sanction) are the Lands in that behalf shown and set forth in the said Map, and in the Schedule thereto annexed, marked with the Letter B, and also sealed with our Common Seal: And we, the said Commissioners of Public Works, do, by this our Order, order and direct that the Time for Completion of the necessary Works in the said District shall be limited to the First Day of June which will be in the Year One thousand eight hundred and sixty-six.

And we do further by this our Provisional Order make the following Regulations with respect to the Drainage Board:

That the Drainage Board for the said District shall consist of Six Members:

That the following Persons shall be the Members of the First Drainage Board, viz.;

Toler R. Garvey of Parsonstown in the King's County, Esquire;
Edward M. Dunne of Mountrath in the Queen's County, Esquire;
John Ridley of Tullamore in the King's County, Esquire;
Marcus Goodbody of Clara in the King's County, Esquire;
George Ridley of Tullamore in the King's County, Esquire;
Joseph R. Belton of Tullamore in the King's County, Esquire:

That the First Meeting of the said Board shall be summoned by Notice under the Hands of any Two or more of the said Board, published in the Dublin Gazette and some Newspaper generally circulated in the said District, at least Fourteen Days next before the Day of Meeting:

That the Qualification of any subsequent Member of the said Board shall be, that he shall be the Proprietor (as defined by the said Act and the Act referred to therein or incorporated therewith) of not less than Twenty Acres of Land situate within the Area of the said District, or the Land Agent for the Time being of a Person being a Proprietor as aforesaid of not less than One hundred Acres of Land situate within the Area of said District:

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following the Date of this Provisional Order:

That the Electors for Members of the Drainage Board shall be the Persons in that Behalf mentioned in the said Act: Provided always, that no such Elector shall be entitled to vote or exercise any Privilege as such unless the Land of which he is the Proprietor, or some Portion thereof, shall be rateable on account of the Works in the District, and he shall have previously paid all Rates or Arrears of Rates which may be payable by him in respect of any Drainage Rate for the aforesaid District:

In witness whereof, we, the said Commissioners of Public Works in Ireland, have hereunto caused our Common Seal to be affixed, this Eighteenth Day of February One thousand eight hundred and sixty-five.

E. Hornsby, (L. S.)
Secretary.

Office of Public Works,
Dublin.

BENGAL SECRETARIAT LIBRARY.

Part 3.

Drainage and Improvement of Lands Act (Ireland), 1863, 26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.

In the Matter of Ballynacarrig Drainage District, in the King's County and Queen's County.

Whereas certain Proprietors of and Persons interested in the Lands adjoining the Ballynacarrig River, on or about the Twelfth Day of January One thousand eight hundred and sixty-four, presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions of "The Drainage and Improvement of Lands Act (Ireland), 1863," accompanied by the proper Schedules, Maps, Plans, Sections, and Estimates, together with other Particulars and Information, as required by the said Act, showing, by Reference to the said Maps, the Boundaries and Area of the proposed Drainage District, and stating the Exigencies rendering the Formation of such Drainage District necessary, and praying that the said Lands within the proposed District should be constituted a separate Drainage District, under the Provisions of the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Act: And whereas all Notices and Inquiries required by the said Act have been duly given and made, and the said Inspector has duly reported to us the said Commissioners, in Writing, the Result of his Inquiries: And we, the said Commissioners, have duly considered the same, and no Objections to the Report of the said Inspectors have been made to us, and all Preliminaries required by the said Act to precede the making of this Provisional Order having been performed and complied with, we, the said Commissioners of Public Works in Ireland, upon Consideration of the Premises are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts in Value of the Lands in the proposed District are in favour thereof, and have subsequently to the Date of the Report of the said Inspector assented thereto in Writing: Now, therefore, in pursuance of the Power given to us by the said Act, we, the Commissioners of Public Works in Ireland, do, by this Provisional Order, under our Common Seal, constitute the Area in the said Petition and Report, and the Boundaries and Extent of which are set forth within Yellow Lines on certain Maps to which we have caused our Common Seal to be attached (and which Maps are deposited in the Office of Public Works in Ireland), a separate Drainage District, by the Name of "The Ballinacarrig Drainage District:" And we do declare that the Lands to be purchased for the proposed Works in said District (subject to such Alterations and Deviations therefrom as we the said Commissioners may hereafter sanction) are the Lands in that Behalf shown and set forth in the said Maps and the Schedule thereto annexed, marked with the Letter B., and also sealed with our Common Seal: And we the said Commissioners of Public Works do by this our Order order and direct that the Time for Completion of the necessary Works in the said District shall be limited to the First Day of June which will be in the Year One thousand eight hundred and sixty-seven.

And

And we do further by this our Provisional Order make the following Regulations with respect to the Drainage Board:

That the Drainage Board for the said District shall consist of Six Members:

That the following Persons shall be the Members of the First Drainage Board, videlicet:

1. Colonel Thomas Bernard of Castle Bernard in the King's County;
2. Colonel John Head Drought of Letty Brook, King's County;
3. Henry Stuart Johnston, of Ratoath in the County of Meath, Esquire;
4. The Reverend Joseph Marshall of Baronne Court in the King's County;
5. George Thomas Benwell of Cadamstown in the King's County, Esquire;
6. Mathew H. Franks of Westfield in the Queen's County, Esquire:

That the first Meeting of the said Board shall be summoned by Notice under the Hands of any Two or more of the said Board, published in the Dublin Gazette and some Newspaper generally circulated in the said District, at least Fourteen Days next before the Day of Meeting:

That the Qualification of any subsequent Member of the said Board shall be, that he shall be the Proprietor as defined by the said Act, and the Acts referred to therein or incorporated therewith, of not less than Twenty Acres of Land situate within the Area of the said District, or the Land Agent for the Time being of a Person being a Proprietor as aforesaid of not less than One hundred Acres of Land situate within the Area of said District:

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following the Date of this Provisional Order:

That the Electors for Members of the Drainage Board shall be the Persons in that Behalf mentioned in the said Act: Provided always, that no such Elector shall be entitled to vote or exercise any Privilege as such unless the Land of which he is the Proprietor, or some Portion thereof, shall be rateable on account of the Works in the District, and he shall have previously paid all Rates or Arrears of Rates which may be payable by him in respect of any Drainage Rate for the aforesaid District.

In witness whereof, we, the said Commissioners of Public Works in Ireland, have hereunto caused our Common Seal to be affixed, this Eighteenth Day of February One thousand eight hundred and sixty-five.

E. Hornsby, (L.S.)
Secretary.

Office of Public Works,
Dublin.

PART 4.

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND), 1863, 26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.

In the Matter of the SIX MILE BRIDGE DRAINAGE DISTRICT, County of Clare.

WHEREAS certain Proprietors of and Persons interested in the Lands upon and adjacent to the Owenogarney River and Tributaries, on or about the Twenty-second Day of March One thousand eight hundred and sixty-four, presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, accompanied by the proper Schedules, Maps, Plans, Sections, and Estimates, together with other Particulars and Information required by the said Act, showing, by Reference to the said Maps, the Boundaries and Area of the proposed Drainage District, and stating the Exigencies rendering the Formation of such Drainage District necessary, and praying that the said Lands within the proposed District should be constituted a separate Drainage District, under the Provisions of the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Act: And whereas all Notices and Inquiries required by the said Act have been duly given and made, and the said Inspector has duly reported to us, the said Commissioners, in Writing, the Result of his Inquiries, and we, the said Commissioners, have duly considered the same, and have also considered an Objection to the said Report made on behalf of Thomas Arthur, Esquire, a Lunatic: And whereas all Preliminaries required by the said Act to precede the making of this Provisional Order have been performed and complied with: And whereas we, the said Commissioners of Public Works in Ireland, upon Consideration of the Premises, are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts in Value of the Lands in the proposed District are in favour thereof, and have subsequently to the Date of the Report of the said Inspector assented thereto in Writing: Now, therefore, in pursuance of the Power given to us by the said Act, we, the Commissioners of Public Works in Ireland, do, by this Provisional Order, under our Common Seal, constitute the Area in the said Petition and Report, and the Boundaries and Extent of which are set forth within Yellow Lines on the Map to which we have caused our Common Seal to be attached (and which Map is deposited in the Office of Public Works in Ireland), a separate Drainage District, by the Name of "The Six Mile Bridge Drainage District:" And we do declare that the Lands to be purchased for the proposed Works in such District (subject to such Alterations and Deviations therefrom as we the said Commissioners may hereafter sanction) are the Lands in that Behalf shown and set forth in the said Map and the Schedule thereto annexed, marked with the Letter B., and also sealed with our Common Seal: And we, the said Commissioners of Public Works, do, by this our Order, order and direct that the Time for Completion of the necessary Works in the said District shall be limited to the First Day of October which will be in the Year One thousand eight hundred and sixty-eight.

And we do further by this our Provisional Order make the following Regulations with respect to the Drainage Board:

That the Drainage Board for the said District shall consist of Eight Members:

That the following Persons shall be the Members of the First Drainage Board, viz.:

1. Maurice O'Connell of Kilgorey,
2. William Bentley of Hurlston,
3. Richard Bentley of Doon House,
4. John Gabbet of Castle Lake,
5. Charles George O'Callaghan of Ballinahinch,
6. John Wilson Lynch of Belvoir,
7. Richard Robert Studdert of Coolreagh, and

} all in the County of Clare, Esquires:

8. John Brown of the Crescent in the County of Limerick, Esquire;

That the First Meeting of the said Board shall be summoned by Notice under the Hands of any Two or more of the said Board, published in the Dublin Gazette and some Newspaper generally circulated in the said District at least Fourteen Days next before the Day of Meeting:

That the Qualification of any subsequent Member of the said Board shall be, that he shall be the Proprietor (as defined by the said Act and the Acts referred to therein or incorporated therewith) of not less than Twenty Acres of Land situate within the Area of the said District, or the Land Agent for the Time being of a Person being a Proprietor as aforesaid of not less than One hundred Acres of Land situate within the Area of said District, and acting as Receiver of the Rents and Profits of such Lands:

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following the Date of this Provisional Order:

That the Electors for Members of the Drainage Board shall be the Persons in that Behalf mentioned in the said Act: Provided always, that no such Elector shall be entitled to vote, or exercise any Privilege as such, unless the Lands of which he is the Proprietor, or some Portion thereof, shall be rateable on account of the Works in the District, and he shall have previously paid all Rates or Arrears of Rates which may be payable by him in respect of any Drainage Rate for the aforesaid District.

In witness whereof, we, the said Commissioners of Public Works in Ireland, have hereunto caused our Common Seal to be affixed, this Second Day of March One thousand eight hundred and sixty-five.

E. Hornsby, (L.S.)
Secretary.

Office of Public Works,
Dublin.

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ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XIV.

An Act to make better Provision for the Naval Defence of the Colonies. [7th *April* 1865.]

WHEREAS it is expedient to enable the several Colonial Possessions of Her Majesty the Queen to make better Provision for Naval Defence, and to that end to provide and man Vessels of War, and also to raise a Volunteer Force to form Part of the Royal Naval Reserve established under the Act of Parliament of 1859 "for the Establishment of a Reserve "Volunteer Force of Seamen, and for the Government of the "same," (hereafter in this Act called the Act of 1859,) and accordingly to be available for general Service in the Royal Navy in Emergency: 22 & 23 Vict. c. 40.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as The Colonial Naval Defence Act, 1865. Short Title.

Interpretation.

2. In this Act—

The Term "Colony" includes any Plantation, Island, or other Possession within Her Majesty's Dominions, exclusive of the United Kingdom of *Great Britain* and *Ireland*, and of the Islands being immediate Dependencies thereof, and exclusive of *India* as defined by the Act of Parliament of 1858 "for "the better Government of *India*:"

The Term "the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral.

Power for Colonies to provide Vessels and raise Men and commission Officers, &c.

3. In any Colony it shall be lawful for the proper Legislative Authority, with the Approval of Her Majesty in Council, from Time to Time to make Provision for effecting at the Expense of the Colony all or any of the Purposes following:

(1.) For providing, maintaining, and using a Vessel or Vessels of War, subject to such Conditions and for such Purposes as Her Majesty in Council from Time to Time approves:

(2.) For raising and maintaining Seamen and others entered on the Terms of being bound to serve as ordered in any such Vessel:

(3.) For raising and maintaining a Body of Volunteers entered on the Terms of being bound to general Service in the Royal Navy in Emergency, and, if in any Case the proper Legislative Authority so directs, on the further Terms of being bound to serve as ordered in any such Vessel as aforesaid:

(4.) For appointing Commissioned, Warrant, and other Officers to train and command or serve as Officers with any such Men ashore or afloat, on such Terms and subject to such Regulations as Her Majesty in Council from Time to Time approves:

(5.) For obtaining from the Admiralty the Services of Commissioned, Warrant, and other Officers and of Men of the Royal Navy for the last-mentioned Purposes:

(6.) For enforcing good Order and Discipline among the Men and Officers aforesaid while ashore or afloat within the Limits of the Colony:

(7.) For making the Men and Officers aforesaid, while ashore or afloat within the Limits of the Colony or elsewhere, subject to all Enactments and Regulations for the Time being in force for the Discipline of the Royal Navy.

Volunteers to form Part of Royal Naval Reserve.

4. Volunteers raised as aforesaid in any Colony shall form Part of the Royal Naval Reserve, in addition to the Volunteers who may be raised under the Act of 1859, but, except as in this Act expressly provided,

provided, shall be subject exclusively to the Provisions made as aforesaid by the proper Legislative Authority of the Colony.

5. It shall be lawful for Her Majesty in Council from Time to Time as Occasion requires, and on such Conditions as seem fit, to authorize the Admiralty to issue to any Officer of the Royal Navy volunteering for the Purpose a Special Commission for Service in accordance with the Provisions of this Act.

Power to Admiralty to issue Special Commissions.

6. It shall be lawful for Her Majesty in Council from Time to Time as Occasion requires, and on such Conditions as seem fit, to authorize the Admiralty to accept any Offer for the Time being made or to be made by the Government of a Colony, to place at Her Majesty's Disposal any Vessel of War provided by that Government and the Men and Officers from Time to Time serving therein; and while any Vessel accepted by the Admiralty under such Authority is at the Disposal of Her Majesty, such Vessel shall be deemed to all Intents a Vessel of War of the Royal Navy, and the Men and Officers from Time to Time serving in such Vessel shall be deemed to all Intents Men and Officers of the Royal Navy, and shall accordingly be subject to all Enactments and Regulations for the Time being in force for the Discipline of the Royal Navy.

Placing of Colonial Vessel with Men and Officers at Her Majesty's Disposal.

7. It shall be lawful for Her Majesty in Council from Time to Time as Occasion requires, and on such Conditions as seem fit, to authorize the Admiralty to accept any Offer for the Time being made or to be made by the Government of a Colony, to place at Her Majesty's Disposal for general Service in the Royal Navy the whole or any Part of the Body of Volunteers with all or any of the Officers raised and appointed by that Government in accordance with the Provisions of this Act; and when any such Offer is accepted such of the Provisions of the Act of 1859 as relate to Men of the Royal Naval Reserve raised in the United Kingdom when in actual Service shall extend and apply to the Volunteers whose Services are so accepted.

As to Services of Volunteers and Officers in Navy.

8. The Admiralty may, if they think fit, from Time to Time by Warrant authorize any Officer of Her Majesty's Navy of the Rank of Captain or of a higher Rank to exercise, in the Name and on behalf of the Admiralty, in relation to any Colony, for such Time and subject to such Limitations, if any, as the Admiralty think fit, any Power exerciseable by the Admiralty under this Act.

Delegation of Admiralty Powers to Naval Officer.

9. Nothing done under this Act by Order in Council, or by the Admiralty, or otherwise, shall impose any Charge on the Revenues of the United Kingdom without express Provision made by Parliament for meeting the same.

Not to impose Charge on Imperial Revenues, &c.

10. Nothing

Not to affect Powers vested in Colonies.

10. Nothing in this Act shall take away or abridge any Power vested in or exercisable by the Legislature or Government of any Colony.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
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ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XV.

An Act to extend the Term for granting fresh Letters Patent for the High Courts in *India*, and to make further Provision respecting the Territorial Jurisdiction of the said Courts.

[7th *April* 1865.]

WHEREAS it is expedient to extend the Time fixed for granting fresh Letters Patent for the High Courts in *India* under the Provisions of an Act passed in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, intituled *An Act for establishing High Courts of Judicature in* India, and to make further Provision than is in the said Act contained for empowering the Alteration from Time to Time of the local Limits of the said High Courts, and for the Exercise, in Places beyond the Limits of the Presidencies, or Places within and for which such High Courts are established, of the Jurisdiction and Powers conferred by Her Majesty's Letters Patent on the said High Courts: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

24 & 25 Vict. c. 104.

1. The Time fixed for granting fresh Letters Patent for the High Courts in *India* by Section Seventeen of the said recited Act is hereby

Extension of Time for granting

fresh Letters Patent.

hereby extended to the First Day of *January* One thousand eight hundred and sixty-six.

Sects. 10 and 18 of 24 & 25 Vict. c. 104, repealed.

2. Sections Ten and Eighteen of the said Act of the Twenty-fourth and Twenty-fifth Years of Her present Majesty are hereby repealed.

Power to the Governor General in Council to alter local Limits of Jurisdiction of High Courts.

3. It shall be lawful for the Governor General of *India* in Council, by Order, from Time to Time to transfer any Territory or Place from the Jurisdiction of one to the Jurisdiction of any other of the High Courts established or to be established under the said Act, and to authorize and empower any High Court to exercise all or any Portion of the Jurisdiction and Powers conferred or to be conferred on it by Her Majesty's Letters Patent establishing the same, or any other Letters Patent issued by Her Majesty under the Provisions of the above-recited Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, within any such Portions of Her Majesty's Dominions in *India*, not included within the Limits of the Presidency or Place or Places for which such High Court was established, as the said Governor General in Council may from Time to Time determine, and also to exercise any such Jurisdiction in respect of Christian Subjects of Her Majesty resident within the Dominions of such of the Princes and States of *India* in alliance with Her Majesty as the said Governor General in Council may, in manner aforesaid, from Time to Time determine, anything in the said recited Act of the Twenty-fourth and Twenty-fifth Years of Her present Majesty notwithstanding.

Power to Crown to disallow any Order of the Governor General for that Purpose.

4. Whenever any such Order has been passed by the Governor General in Council, he shall transmit to the Secretary of State for *India* an authentic Copy thereof; and it shall be lawful for Her Majesty to signify, through the Secretary of State for *India* in Council, Her Disallowance of such Order; and such Disallowance shall make void and annul such Order from and after the Day on which the Governor General shall make known by Proclamation, or by Signification to his Council, that he has received the Notification of such Disallowance by Her Majesty: Provided always, that all Acts, Proceedings, and Judgments done, taken, or given by such High Courts, and not set aside by any competent Authority before the Promulgation or Signification as aforesaid of such Disallowance by Her Majesty, shall be deemed to be and to have been valid and effectual for all Purposes whatever, such Disallowance notwithstanding.

Time when Act shall come into operation.

5. So much of this Act as relates to the Jurisdiction of the High Court shall commence and come into operation as soon as the

the same shall have been published by the Governor General in Council.

6. Nothing in this Act contained shall interfere with the Powers of the Governor General in Council at Meetings for the Purpose of making Laws and Regulations.

Not to interfere with certain Powers of Governor General.

LONDON:
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ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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Majesty, Chapter Thirty-seven, intituled *An Act to regulate the Issue of Bank Notes in* Ireland, *and to regulate the Repayment of certain Sums advanced by the Governor and Company of the Bank of* Ireland *for the Public Service*, as relates to the Payment of Interest on said Sums, amounting to Two millions six hundred and thirty thousand seven hundred and sixty-nine Pounds Four Shillings and Eightpence, and the whole of the Third Section of the said Act, shall be and the same are hereby repealed.

Interest payable to Bank of Ireland.

2. There shall be paid to the Governor and Company of the Bank of *Ireland*, on the Sixth Day of *April* One thousand eight hundred and sixty-five, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, Interest on the said Sum of Two millions six hundred and thirty thousand seven hundred and sixty-nine Pounds Four Shillings and Eightpence, at the Rate of Three Pounds Five Shillings *per Centum per Annum*, for the Quarter ending on the Fifth Day of *April* One thousand eight hundred and sixty-five.

From 6th April 1865, Interest on the Debt to the Bank of Ireland to be reduced to £3. per cent. per ann.

3. From and after the Sixth Day of *April* One thousand eight hundred and sixty-five, there shall be paid and payable to the Governor and Company of the said Bank of *Ireland*, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in respect of the said Capital Sum of Two millions six hundred and thirty thousand seven hundred and sixty-nine Pounds Four Shillings and Eightpence, now due to them by the Public, an Annuity of Seventy-eight thousand nine hundred and twenty-three Pounds One Shilling and Sixpence, being an Interest or Annuity of Three *per Centum per Annum*, by Two equal half-yearly Payments, on the Eleventh Day of *October* and the Sixth Day of *April* in each Year.

As to future Payment to the Bank of Ireland for Management of the Public Debt in Ireland.

4. There shall be paid to the Governor and Company of the Bank of *Ireland*, on some Day between the Sixth Day of *April* and the Fifth Day of *July* One thousand eight hundred and sixty-six, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, for their Charges in the Management of the Unredeemed Public Debt in *Ireland* for the Year ending on the Fifth Day of *April* One thousand eight hundred and sixty-six, and in the like Manner on some Day between the Sixth Day of *April* and the Fifth Day of *July* in every succeeding Year, for the Management of the Debt during the preceding Year ended on the Fifth Day of *April*, in each Year until the Fifth Day of *April* One thousand eight hundred and

and eighty-six, and thenceforth in any and every succeeding Year, until Parliament shall otherwise direct, Remuneration at the Rates following; that is to say,

1st. While the whole of such Unredeemed Debt in the Books of the Bank of *Ireland*, computed as herein-after mentioned, shall be less than Thirty million Pounds, a Sum at the Rate of Four hundred and fifty Pounds *per Annum* for each Million of the Capital:

2d. While the whole of such Unredeemed Debt shall amount to Thirty million Pounds and shall not exceed Forty million Pounds, a Sum at the Rate of Three hundred Pounds *per Annum* for each Million of the Capital:

3d. While the whole of such Unredeemed Debt shall exceed Forty million Pounds, a Sum at the Rate of Three hundred Pounds *per Annum* for every Million of the Capital up to Forty million Pounds, and a Sum at the Rate of One hundred and fifty Pounds *per Annum* for every Million of the Capital in excess of that Amount:

Provided always, that in estimating the Amount of Unredeemed Debt for the Purposes of this Act Annuities for Terms of Years shall be taken into account, and shall for the Purpose of making a nominal Capital be valued at Fifteen Years Purchase, if originally granted for a Term exceeding Fifty Years, and at Ten Years Purchase, if granted for a Term of Fifty Years or under.

Commissioners of National Debt to transmit to Treasury Statement of the Amount of the Debt in Ireland, and Allowance for Management to be computed thereon.

5. The Commissioners for the Reduction of the National Debt shall transmit to the Commissioners of the Treasury, as soon after the Fifth Day of *April* One thousand eight hundred and sixty-five as conveniently may be, a Statement of the total Capital of the Unredeemed Public Debt in *Ireland* as it stands on the said Fifth Day of *April* One thousand eight hundred and sixty-five in which Annuities shall be valued as aforesaid; and the Allowance to the said Governor and Company of the Bank of *Ireland* for the Management of the said Unredeemed Debt in *Ireland* for the Year ending the Fifth Day of *April* One thousand eight hundred and sixty-six shall be computed on the said Capital, and shall be paid to the said Governor and Company out of the said Consolidated Fund or the growing Produce thereof in One Sum before the Fifth Day of *July* One thousand eight hundred and sixty-six, and the Allowance for such Management shall be computed and paid in like Manner in every succeeding Year.

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ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XVIII.

An Act for amending the Law of Evidence and Practice on Criminal Trials. [9th *May* 1865.]

WHEREAS it is expedient that the Law of Evidence and Practice on Trials for Felony and Misdemeanor and other Proceedings in Courts of Criminal Judicature should be more nearly assimilated to that on Trials at Nisi Prius: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Provisions of Sect. 2. of this Act to apply to Trials commenced on or after July 1, 1865.

1. That the Provisions of Section Two of this Act shall apply to every Trial for Felony or Misdemeanor which shall be commenced on or after the First Day of *July* One thousand eight hundred and sixty-five, and that the Provisions of Sections from Three to Eight, inclusive, of this Act shall apply to all Courts of Judicature, as well Criminal as all others, and to all Persons having, by Law or by Consent of Parties, Authority to hear, receive, and examine Evidence.

Summing up of Evidence in Cases of

2. If any Prisoner or Prisoners, Defendant or Defendants, shall be defended by Counsel, but not otherwise, it shall be the Duty of the

Felony and Misdemeanor.

the presiding Judge, at the Close of the Case for the Prosecution, to ask the Counsel for each Prisoner or Defendant so defended by Counsel whether he or they intend to adduce Evidence, and in the event of none of them thereupon announcing his Intention to adduce Evidence, the Counsel for the Prosecution shall be allowed to address the Jury a Second Time in support of his Case, for the Purpose of summing up the Evidence against such Prisoner or Prisoners, or Defendant or Defendants; and upon every Trial for Felony or Misdemeanor, whether the Prisoners or Defendants, or any of them, shall be defended by Counsel or not, each and every such Prisoner or Defendant, or his or their Counsel respectively, shall be allowed, if he or they shall think fit, to open his or their Case or Cases respectively; and after the Conclusion of such Opening or of all such Openings, if more than One, such Prisoner or Prisoners, or Defendant or Defendants, or their Counsel, shall be entitled to examine such Witnesses as he or they may think fit, and when all the Evidence is concluded to sum up the Evidence respectively; and the Right of Reply, and Practice and Course of Proceedings, save as hereby altered, shall be as at present.

How far Witness may be discredited by the Party producing.

3. A Party producing a Witness shall not be allowed to impeach his Credit by general Evidence of bad Character, but he may, in case the Witness shall, in the Opinion of the Judge, prove adverse, contradict him by other Evidence, or, by Leave of the Judge, prove that he has made at other Times a Statement inconsistent with his present Testimony; but before such last-mentioned Proof can be given the Circumstances of the supposed Statement, sufficient to designate the particular Occasion, must be mentioned to the Witness, and he must be asked whether or not he has made such Statement.

As to Proof of contradictory Statements of adverse Witness.

4. If a Witness, upon Cross-examination as to a former Statement made by him relative to the Subject Matter of the Indictment or Proceeding, and inconsistent with his present Testimony, does not distinctly admit that he has made such Statement, Proof may be given that he did in fact make it; but before such Proof can be given the Circumstances of the supposed Statement, sufficient to designate the particular Occasion, must be mentioned to the Witness, and he must be asked whether or not he has made such Statement.

Cross-examinations as to previous Statements in Writing.

5. A Witness may be cross-examined as to previous Statements made by him in Writing or reduced into Writing relative to the Subject Matter of the Indictment or Proceeding, without such Writing being shown to him; but if it is intended to contradict such

such Witness by the Writing, his Attention must, before such contradictory Proof can be given, be called to those Parts of the Writing which are to be used for the Purpose of so contradicting him: Provided always, that it shall be competent for the Judge, at any Time during the Trial, to require the Production of the Writing for his Inspection, and he may thereupon make such Use of it for the Purposes of the Trial as he may think fit.

Proof of previous Conviction of Witness may be given.

6. A Witness may be questioned as to whether he has been convicted of any Felony or Misdemeanor, and upon being so questioned, if he either denies or does not admit the Fact, or refuses to answer, it shall be lawful for the cross-examining Party to prove such Conviction; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for such Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Records of the Court where the Offender was convicted, or by the Deputy of such Clerk or Officer, (for which Certificate a Fee of Five Shillings and no more shall be demanded or taken,) shall, upon Proof of the Identity of the Person, be sufficient Evidence of the said Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same.

As to Proof by attesting Witnesses.

7. It shall not be necessary to prove by the attesting Witness any Instrument to the Validity of which Attestation is not requisite, and such Instrument may be proved as if there had been no attesting Witness thereto.

As to Comparison of disputed Writing.

8. Comparison of a disputed Writing with any Writing proved to the Satisfaction of the Judge to be genuine shall be permitted to be made by Witnesses; and such Writings, and the Evidence of Witnesses respecting the same, may be submitted to the Court and Jury as Evidence of the Genuineness or otherwise of the Writing in dispute.

"Counsel."

9. The Word "Counsel" in this Act shall be construed to apply to Attorneys in all Cases where Attorneys are allowed by Law or by the Practice of any Court to appear as Advocates.

Not to apply to Scotland.

10. This Act shall not apply to *Scotland*.

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ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

CAP. XIX.

An Act to extend the Period for borrowing the Sum authorized to be raised under the Metropolitan Main Drainage Extension Act, 1863.

[9th *May* 1865.]

WHEREAS by the Metropolitan Main Drainage Extension Act, 1863, herein-after referred to as the said Extension Act, the Metropolitan Board of Works is empowered to borrow, with the Consent and in manner provided by the Metropolitan Main Drainage Act, 1858, any Sum of Money not exceeding in the whole One million two hundred thousand Pounds, in addition to the Sums by the said Main Drainage Act, 1858, authorized to be borrowed: And whereas by the said Main Drainage Act, 1858, the Power of borrowing thereby vested in the said Board of Works is directed to be exercised not later than the Thirty-first Day of *December* One thousand eight hundred and sixty-four: And whereas no express Provision for extending the said Time of borrowing was inserted in the said Extension Act: And whereas it is expedient to extend such Time of borrowing in manner herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

I. The

Extension of Time for Borrowing Powers.

1. The Time for the Metropolitan Board of Works borrowing any Sum or Sums of Money authorized to be borrowed by the said Extension Act shall be extended to the Thirty-first Day of *December* One thousand eight hundred and sixty-seven.

Construction of this Act and the Main Drainage Acts.

2. This Act shall be construed as One with the Main Drainage Act, 1858, and the said Extension Act, and all the Provisions of the said Acts with respect to the borrowing of Money and the Securities for the same, and with respect to the Guarantee to be given by the Commissioners of the Treasury, and the Indemnity of the Commissioners against Loss on the Guarantee, and with respect to the levying Rates, and generally with respect to any Matter incidental to or consequential on the borrowing of Money therein mentioned, shall apply to the Monies authorized to be borrowed under the said Extension Act as amended by this Act, in the same Manner as if the Monies were borrowed under the said Main Drainage Act, 1858.

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SCHEDULE to which this Act refers.

Inclosure	County	Date of Provisional Order
Maerbach Hill	Hereford	23d May 1864.
Elmley Lovett	Worcester	14th April 1864.
Helmsley Common	York	6th October 1864.
Asby Winderworth	Westmorland	23d June 1864.
Donhead St. Mary	Wilts	29th September 1864.
Gamblesby Fell	Cumberland	23d June 1864.
Elmbridge	Worcester	14th July 1864.
Reepham Moor	Lincoln	22d September 1864.
Epsom Common Fields	Surrey	17th November 1864.
Broad Heath Common or Hanley Heath	Worcester	29th September 1864.
Trumfleet	York	30th December 1864.
Llawrbaute	Carmarthen	16th December 1864.
Abernant	Carmarthen	16th December 1864.
Fulmer Common	Buckingham	3d January 1865.

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being a Shareholder or Shareholders of any Railway Company made bankrupt under any such Adjudication of Bankruptcy, is or shall be liable to pay or contribute any Sum beyond the Extent of his or their Shares in the Capital of the Company not paid up at the Time of such Adjudication.

Short Title.

3. This Act may be cited for all Purposes as "The *Irish* Bankrupt and Insolvent Amendment Act, 1865."

To extend to Ireland only.

4. This Act shall extend to *Ireland* only.

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CAP. XXII.

An Act to amend the Acts relating to the *Scottish* Herring Fisheries. [9th *May* 1865.]

WHEREAS an Act was passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Ninety-two, intituled *An Act to amend the Law relative to the* Scottish *Herring Fisheries*, and another Act was passed in the Twenty-fourth and Twenty-fifth Years of the said Reign, Chapter Seventy-two, intituled *An Act to make further Provision for the Regulation of the* British *White Herring Fishery in* Scotland; and it is expedient that the recited Acts should be amended Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows.

23 & 24 Vict c. 92.

24 & 25 Vict. c. 72

1. The Fourth Section of the first-recited Act shall be and is hereby repealed.

Section 4 of 23 & 24 Vict. c 92 repealed

2. It shall not be lawful to take or fish for Herrings or Herring Fry on the West Coasts of *Scotland* between the Points of *Ardnamurchan* on the North and the *Mull of Galloway* on the South at any Time between the First Day of *February* and the

Not lawful to fish for Herrings from 1st February to 31st May be-

tween Ardnamurchan and the Mull of Galloway.

the Thirty-first Day of *May*, inclusive, in any Year; and the Commissioners of the *British* White Herring Fishery may, on Application made to them, and after such Inquiry as they shall think necessary, by Regulations to be made by them from Time to Time, fix the Periods, if any, during which it shall not be lawful to take or fish for Herrings within any other Limits or Locality on the Coasts of *Scotland;* and every Person who takes or fishes for Herrings or Herring Fry in breach or contravention of the above Enactment, or of any such Regulations, shall be liable to a Penalty of not less than Five and not exceeding Twenty Pounds for every such Offence; and all Nets used for taking or fishing for Herrings in breach or contravention of the above Enactment, or of any such Regulations, may be seized by the Superintendent appointed by the Authority of the said recited Act, or any Person acting under his Orders, or by any Officer of the *British* White Herring Fishery, or by Order of any Sheriff, Justice of the Peace, or Magistrate having Jurisdiction under the said Act, and shall be forfeited.

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SCHEDULE to which this Act refers.

In the Matter of Chedzoy Improvement, situate in the several Parishes of Westonzoyland, Chedzoy, Bridgwater, Woolavington, North Petherton, and Middlezoy, in the County of Somerset.

We, the Inclosure Commissioners for England and Wales, in pursuance of the power given to us by "The Land Drainage Act, 1861," do, by this Provisional Order under our seal, constitute the lands which are delineated on a map authenticated under our hands and seal as the map referred to in this Provisional Order, and intituled the Chedzoy Separate Drainage District Map, and a copy of which is deposited in the Inclosure Office, a Separate Drainage District under the said Act.

And we do further, by this our Provisional Order, make the following regulations with respect to the Drainage Board:-

That the Drainage Board for the said District shall consist of eleven members.

That the following persons shall be the members of the first Drainage Board:—Richard Hook, of Westonzoyland, gentleman; James Mountstevens, of Westonzoyland, yeoman; Charles Bulpin, of Westonzoyland, yeoman; Benjamin Tazewell, of Chedzoy, yeoman; James Turner, of Lyng, yeoman; James Ling and John Ling, both of Westonzoyland, yeoman; Thomas Baker, of Othery, gentleman; William Chapman, of Westonzoyland, yeoman; Edward Fry, of Chedzoy, yeoman; and F. B. Uttermore, of Langport, Esquire.

That the first Meeting of the said Board shall be summoned by notice under the hands of any two or more of the said Board, published in some newspaper generally circulated in the District, and posted on the Church doors of the above-mentioned parishes at least fourteen days before the day of Meeting.

That the qualification of any subsequent Member of the said Board shall be, that he shall be the proprietor of not less than twenty acres of land within the area of the said District; or secondly, the heir apparent of the proprietor of an estate of not less than twenty acres in extent within the area of the said District, or thirdly, occupying tenant, yearly or otherwise, of not less than thirty acres within the area of the said District; or fourthly, the agent of a proprietor of an estate of not less than twenty acres of land within the area of the said District; such agent acting under a written appointment.

That the Members of the first Board shall vacate their offices on the first Thursday in September in the year following that in which this Provisional Order shall be confirmed by Parliament.

That the Electors for Members of the Drainage Board shall be the persons who have, during the year immediately preceding such Election, been rated

to

to any Drainage Rate of the District hereby constituted, and have paid all such Rates due from them at the time of such Election.

In witness whereof, we have hereunto set our Official Seal this Second day of February One thousand eight hundred and sixty-five

L.S.

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duly obtained: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Sums borrowed, &c. by Brighouse Improvement Commissioners to be considered as incurred under Local Government Act.

2. The Sum of Three thousand Pounds expended in permanent Works by the Commissioners under the *Brighouse* Local Improvement Act, referred to in the *Brighouse* Provisional Order contained in the Schedule to this Act annexed, in addition to the Sum of Four thousand Pounds authorized to be borrowed by the said Act, shall for all Purposes be considered Costs, Charges, and Expenses incurred by the Local Board for the District of *Brighouse* in the Execution of "The Local Government Act, 1858," in the said District; and the Charges and Rates mentioned in the Fifty-seventh Section of the last-mentioned Act shall include the Rates or Assessments granted by the said Local Improvement Act.

Wallingford Local Act to be repealed, except s. 48.

3. The Local Act Thirty-fifth *George* the Third, Chapter Seventy-five, referred to in the Provisional Order for the District of *Wallingford* in the Schedule to this Act contained, shall be repealed, with Exception of Section Forty-eight described in the Schedule to the said Order.

Act incorporated with 21 & 22 Vict. c. 98.

4. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

5. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865."

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1 BRIDLINGTON.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands otherwise than by Agreement, for Street Improvements, &c.

2. BRIGHOUSE.—Repealing and altering Parts of a Local Act in force within the District.

3. BURNLEY.—Altering a Local Act in force within the District.

4 HENLEY.—Partially repealing a Local Act in force within the District.

5. SHIPLEY.—Partially repealing and altering a Local Act in force within the District of Shipley, and extending the Borrowing Powers of the Local Board for that District.

6. WALLINGFORD.—Repealing a Local Act in force within the District of the Wallingford Local Board.

7. LLANGOLLEN.—Extending the Borrowing Powers of the Local Board of Health.

8. ORMSKIRK.—Extending the Borrowing Powers of the Local Board of Health.

9. SWANSEA.—Extending the Borrowing Powers of the Local Board of Health.

10. TORMOHAM.—Extending the Borrowing Powers of the Local Board of Health.

11. LOCKWOOD.—Altering the Boundaries of the District, under the Local Government Act, 1858.

BRIDLINGTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, within the District of the Local Board of the Township of Bridlington, with respect to the Purchase and taking of Lands and Houses otherwise than by Agreement.

WHEREAS the Local Board in and for the District of the Township of Bridlington in the East Riding of the County of York, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a petition, under the Seal of the said Local Board and the Signatures of five members thereof, to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, to enable the aforesaid Local Board to purchase and take certain lands, houses, and other premises for the purpose of enabling them to improve existing and make new streets and promenades and to construct a sea wall and promenade thereon, and for other purposes connected therewith respectively.

AND WHEREAS the said petition duly set forth in the Schedule annexed thereto the several pieces of land and the several houses and premises intended to be taken by such Local Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid lands, houses, and premises, who have assented, dissented, or are neuter in respect of the taking thereof or who have returned no answer to the notice issued by such Board; and such petition prayed that the said Board might with reference to such lands, houses, and premises be allowed to put in force the powers of the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Rawlinson, Esquire, the Inspector appointed for the purpose, to visit the said district, and the said Inspector has now enquired in the district aforesaid into the subject matter of such petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make order and direct.

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board of the said District of the Township of Bridlington shall be empowered to put in force with reference to the lands, houses, hereditaments and premises referred to and described in the Schedule to this Order annexed the powers of the Lands Clauses Consolidation Act, 1845, and of the Lands Clauses Consolidation Acts Amendment Act, 1860, with respect to the purchase and taking of Lands otherwise than by agreement.

Given under my hand this Sixteenth day of June one thousand eight hundred and sixty-four.

(Signed) G. GREY.

The

The Schedule referred to in the foregoing Order.

The Lands, Houses, Buildings, Hereditaments, and Premises proposed to be taken for the Purposes set forth in the preceding Order, and which are situate in the aforesaid District are the following, the figures in the first column referring to those on the Plan of the said Hereditaments and Premises mentioned in the Petition of the aforesaid Local Board herein-before referred to.

No on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	The North Pier -	The Bridlington Pier and Harbour Commissioners.		
2	Cliff Terrace, Roadway -	The Local Board.		
3	Crane Hill, Roadway -	The Local Board.		
3	Crane Wharf - -	The Bridlington Pier and Harbour Commissioners.		
4	Harbour Masters' Office	The Bridlington Pier and Harbour Commissioners.		
5	Jetty and Landing Steps	The Bridlington Pier and Harbour Commissioners.		
6	Approach Road to Wharf	The Bridlington Pier and Harbour Commissioners.		
7	Garrison Street, Roadway.	The Local Board.		
8	House and Baths -	Edward Rycroft -	- - -	Edward Rycroft.
9	House and Baths - -	Edward Rycroft -	- - -	Edward Rycroft.
10	Public House - -	John Simpson and George Simpson.	- - -	Ellen Hobson.
11	House and Shop - -	Sarah Gray - -	- - -	George Smith.
12	House - - -	Ann Lowther -	- - -	William Garbutt.
13	Butcher's Shop - -	George Gray -	- - -	Langton Brown.
14	Wooden Building - -	George Gray - -	- - -	William Hadden.
14*a*	House and Shop -	Jane Stewart -	- - -	Jane Stewart.
15	House - - -	Mrs. Wallis - -	- - -	Mrs. Wallis.
15*a*	House and Shop -	William Smith -	- - -	George Dixon.
16	House and Shop - -	Ann Mitchell -	- - -	Ann Mitchell.
16*a*	Passage - -	Ann Mitchell.		
17	House and Shops -	Mrs. Ingle - -	- - -	Alice Simpson, Mrs. Pickering.
17*a*	House - - -	Mrs. Lowther.	—	—
18	House - - -	Mrs. Lowther -	- - -	The same.
19	House - - -	J. B. Kirton - -	- - -	John Spencer.
20	Cliff Street, Roadway -	The Local Board.		
21	House - - -	Mary Savage -	- - -	Jane Scrivener.
22	House - - -	Mrs. Savage - -	- - -	Mrs. Binning.
22*a*	Passage - - -	Mrs. Savage.		
23	House - - -	Mrs. Savage - -	- - -	John Leng.
24	House - - -	John Armstrong -	- - -	John Armstrong.
25	House and Shop -	John Armstrong -	- - -	Robert Lyon.
26	House and Shop -	Benjamin Sharp Sawden.	- - -	James Higginbotham.
27	House - - -	Benjamin Sharp Sawden.	- - -	James Higginbotham.

Local Government Supplemental.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
28	House - - -	Benjamin Sharp Sawden.	- - -	John Tucker.
28a	Wooden Building -	Benjamin Sharp Sawden.	- - -	John Tucker.
29	Cottage - - -	Benjamin Sharp Sawden.	- - -	Simpson Miles.
29a	Passage - - -	Benjamin Sharp Sawden.		
30	Warehouse - -	Benjamin Sharp Sawden.	- - -	Robert Lyon.
31	Warehouse - -	Benjamin Sharp Sawden.	- - -	James Stephenson.
32	Warehouse - -	Benjamin Sharp Sawden.	- - -	Benjamin Sharp Sawden.
33	Warehouse - -	Benjamin Sharp Sawden.	- - -	Unoccupied.
34	Cottage - -	Benjamin Sharp Sawden.	- - -	James Higginbotham.
35	Cottage - -	George Gray -	- - -	John Medd.
36	Slaughterhouse - -	John Armstrong -	- - -	Robert Lyon.
37	Yard - - -	John Armstrong -	- - -	John Armstrong.
38	Cottage - - -	George Gray -	- - -	Unoccupied.
39	Cottage - -	George Gray -	- - -	Peter Anderson.
40	Cottage - - -	Henry Brambles -	- - -	Richard Cowling.
41	Cottage - - -	Henry Brambles -	- - -	John Lyon, senr.
42	Cottage - -	Henry Brambles -	- - -	Jane Fairbotham.
43	Wooden Photographic Building.	Abraham Forth -	- - -	Abraham Forth.
44	Stable - -	Benjamin Sharp Sawden.	- - -	Thomas Sanderson Tucker.
45	Wooden Photographic Building.	Thomas Sanderson Tucker.	- - -	Thomas Sanderson Tucker.
46	Cottage - - -	Benjamin Sharp Sawden.	- - -	Thomas Sanderson Tucker.
47	Cottage - -	Benjamin Sharp Sawden.	- -	John Brown.
48	Stable - -	Benjamin Sharp Sawden.	- - -	Thomas Sanderson Tucker.
49	Part House - -	Mary Savage -	- - -	Jane Scrivener.
50	Part House - -	Mrs. Savage - -	- - -	Mrs. Binning.
51	Roadway - -	The Local Board.		
52	Roadway - -	The Local Board.		
53	House - - - -	William Watson -	- - -	William Watson.
54	House - - -	Thomas Richard Hall.	- - -	Mrs. Slater.
55	House - - -	The Reverend Theodore Muller.	- - -	Mrs. Agar.
56	House - - -	The Reverend Theodore Muller.	- - -	Joseph Cross.
57	House - - -	William Watson -	- - -	Thomas Dalton.
58	House - - -	Hannah Taylor -	- - -	Robert Jarratt.
59	Office - - -	William Watson -	- - -	William Watson.
60	Chapel - -	The Trustees of Primitive Methodist Connexion.	- - -	Primitive Methodist Connexion.
61	Roadway - - -	The Local Board.	—	—
62	Shop - - -	The Trustees of Primitive Methodist Connexion.	- - -	John Bishop.
63	Cottage - -	James Elgey -	- - -	Robert Wilson.
64	Cottage - -	James Elgey -	- - -	John Harrison.
65	Cottage - - -	James Elgey -	- - -	Samuel Broaderick.

Local Government Supplemental.

No on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
66	Cottage	William Harpham		Alfred Bullock.
67	Cottage	William Harpham		William Dove.
68	Cottage	William Harpham		—— Whiteley.
69	Privies	James Elgey		——
70	Yard	William Watson		Thomas Dalton.
71	Yard	Hannah Taylor		Robert Jurratt.
72	Cottage	William Carr		Mrs. Bullock.
73	Cottage	William Carr		Mrs. Jane Hick.
74	Cottage	William Carr		Mrs. Siddall.
75	Cottage	Robert Taylor		Robert Taylor.
76	Cottage	James Elgey		Samuel Smith, sen.
77	Cottage	James Elgey		William Bell.
78	Printing Office	Robert Taylor		John Varley.
79	Cottage	James Elgey		John Sellers.
80	Cottage	James Elgey		Francis Brown.
81	Cottage	James Elgey		Unoccupied.
82	Cottage	James Elgey		Samuel Smith, jun.
83	Cottage	James Elgey		John Usher, jun.
84	Privies, &c.	James Elgey.	——	——
85	Cottage	Joseph Catley		William Wallis.
86	Cottage	Joseph Catley		Robert Collyer.
87	Cottage	Joseph Catley		Anthony Bell.
88	Cottage	Joseph Catley		Mrs. Heaton.
89	Cottage	John Hodge, David Sanderson.		John Hodge.
90	Two Cottages	Ruth Massender		Robert Scales, sen., George Laycock.
90*a*	Passage	Ruth Massender.	——	——
91	Two Cottages	Ruth Massender		John Elliott, Ruth Massender.
91*a*	Cottage	Ruth Massender		Sarah Radcliffe.
92	Cottage	Thomas Frankish		Thomas Williamson.
93	Cottage	Joseph Ripley		Joseph Ripley.
93*a*	Passage	Joseph Ripley.	——	——
94	Cottage	John Gray		George Pool.
95	Cottage	John Gray		Samuel Dove.
96	House	John Jackson		John Jackson.
97	Cottage	John Jackson		Unoccupied.
98	Cottage	John Jackson		James Sawden.
99	Two Cottages	John Jackson		George Wright, Henry Varley.
99*a*	Passage	John Jackson.	——	——
100	Yard	John Jackson.	——	——
101	Two Cottages	John Jackson		William Smith, Edward Anderson.
102	Privies, &c.	John Jackson		William Smith, Edward Anderson.
103	Three Cottages	John Bishop		William Bullock.
104	Yard	Thomas Richard Hall.		Mrs. Slater.
105	Three Cottages	John Bishop		John Wray, Christopher Anderson, Samuel Needham.
106	Warehouse	James Harrison and Sons.		James Harrison and Sons.
107	Stable	Mrs. Blakeston		Mrs. Blakeston.
108	Cottage	William Miles, sen.		William Miles, sen.
109	Cottage	Robert Miles, sen.		Robert Miles, jun.
110	Cottage	Mrs. Blakeston		Cornelius Blakeston.
110*a*	Passage	Mrs. Blakeston		Mrs. Blakeston.

Local Government Supplemental.

No. on Plan	Description of Property.	Owners or reputed Owners	Lessees or reputed Lessees.	Occupiers.
111	Three Cottages - -	William Brambles -	- - -	Mrs. Hick, Mrs. Williamson, Cornelius Young.
112	Three Cottages - -	William Brambles -	- - -	George Johnson, William Harrison, and one unoccupied.
113	Cottage -	Mrs. Blakeston -	- - -	Mrs. Blakeston.
114	Four Cottages - -	Joseph Catley -	- - -	Dinah Mann, Robert Burrel, Ralph Morris, and one unoccupied.
114*a*	Warehouse - -	Joseph Catley -	- - -	Joseph Catley.
115	Two Cottages - -	Joseph Catley -	- - -	John Anderson, James Stabler.
116	Cottage and Stable -	Joseph Catley, Honoria Scholar.	- - -	Thomas Pickering, George Williamson.
117	Cottage - - -	Honoria Scholar -	- - -	Stephen Postill.
118	Cottage - - -	Honoria Scholar -	- - -	Thomas Sigsworth.
119	Cottage - - -	Robert Musk -	- - -	Robert Musk.
120	Cottage - - -	Joseph Catley -	- - -	George Williamson.
121	Kitchen - - -	Joseph Catley -	- - -	George Williamson.
122	House - - -	Joseph Catley -	- - -	John Wallis.
123	House - - -	Joseph Catley -	- - -	Mary Robinson.
124	House - - -	Joseph Catley -	- - -	Joseph Catley.
124*a*	Passage - - -	Joseph Catley.	—	—
125	House - - -	Joseph Catley -	- - -	Francis Binning.
125*a*	Yard and Outbuildings -	Joseph Catley.	—	—
126	Roadway and vacant Ground.	Charles Mann -	- - -	Charles Mann.
127	House and Passage -	John Brown -	- - -	Unoccupied.
128	House - - -	John Brown -	- - -	Unoccupied.
129	House - - -	John Brown -	- - -	Unoccupied.
130	Sale Room - -	James Speck -	- - -	Thomas Tate.
131	Wooden Shed - -	Charles Mann -	- - -	Charles Mann.
132	Wooden Shed - -	Charles Mann -	- - -	Charles Mann.
133	Vacant Ground - -	Charles Mann -	- - -	Charles Mann.
134	Wooden Shed - -	Charles Mann -	- - -	Charles Mann.
135	Wooden Shed - -	Charles Mann -	- - -	Charles Mann.
136	Wooden Shed - -	Charles Mann -	- - -	Edward Hobson, junior.
137	Wooden Shed - -	Charles Mann -	- - -	Edward Hobson, junior.
138	Wooden Shed - -	Charles Mann -	- - -	Edward Hobson, junior.
139	Wooden Shed - -	Charles Mann -	- - -	Edward Hobson, junior.
140	Garden - -	Charles Mann -	- - -	Richard Dennis.
141	House - - -	Charles Mann -	- - -	Seth Brigham.
142	House - - -	Charles Mann -	- - -	John Fox.
143	House - - -	Charles Mann -	- - -	—— Schobey.
144	Vacant Ground - -	Charles Mann -	- - -	Charles Mann.
145	Roadway - -	Charles Mann.	—	—
146	Vacant Ground - -	Charles Mann -	- - -	Charles Mann.
146*a*	Vacant Ground - -	Ann Elizabeth Parrott.	- - -	Ann Elizabeth Parrott.
147	House - - -	Elizabeth Gardner, Ann Gardner.	- - -	Unoccupied.
148	Stables and Outbuildings.	Mrs. Preston -	- - -	John Ombler.
149	Public House - -	Mrs. Preston -	- - -	John Ombler.
150	House and Shop -	Mrs. Preston -	- - -	Henry J —— Sawden.
151	Cross Street Roadway -	The Local Board.	—	—
152	Prince Street Roadway -	The Local Board.	—	—
153	Queen Street Roadway -	The Local Board.	—	—
154	House - - -	George Taylor, Darley Taylor.	- - -	Mrs. Taylor.

Local Government Supplemental.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
155	Cottage	George Taylor		James Watson.
156	Outbuildings	George Taylor		Mrs. Taylor.
157	House and Shop	John Arnell		David Walkington, jun.
158	Three Cottages	John Arnell		John Knott, John Morris, Elizabeth Kirby.
159	House	Thomas Richard Hall.		George Knott.
160	Two Cottages	Thomas Richard Hall.		Richard Lister, jun.
161	Queen's Place Roadway	The Local Board		Pearson Smith.
162	Ruinous Building	Messrs. Freshney and Keyworth.		Unoccupied.
163	Ruinous Building	Messrs. Freshney and Keyworth.		Unoccupied.
164	Outbuildings	Messrs. Freshney and Keyworth.		Unoccupied.
165	Shop	George Taylor, Darley Taylor.		Unoccupied.
166	Ship Hill Roadway	The Local Board.	—	—
167	Gardens and Buildings	Thomas Richard Hall.		Robert Bullock.
168	Vacant Ground	The Harbour Commissioners.		Unoccupied.
169	Roadway	The Local Board.	—	—
170	Steps to Harbour	The Harbour Commissioners.		—
171	Two Cottages	Thomas Spencer Harrison.		David Simpson, Benjamin Holland.
172	Cottage	George Taylor, William Taylor.		George Stork.
173	Cottage	George Taylor, William Taylor.		William Varley.
174	Cottage	George Taylor, William Taylor.		George Gray.
175	Vacant Ground	Thomas Gittings		Unoccupied.
176	Yard	Thomas Gittings.	—	—
177	Outbuildings	Thomas Gittings		Francis Gray.
178	House	Thomas Gittings		Francis Gray.
179	House and Shop	Thomas Gittings		Richard Nicholson.
180	House	The Misses Loadman		The Misses Loadman.
180*a*	Passage	The Misses Loadman.	—	—
181	House and Shop	The Misses Loadman		Mrs. Blenkin.
182	House	William Tennison		Unoccupied.
183	Cottage	George Taylor, Darley Taylor.		Melchizadec Walkington.
184	Cottage	Richard Speck		Mrs. Snelling.
185	Cottage	Edward Hobson, sen.		Mary Pickering.
186	House	Thomas Spencer Harrison.		Francis Dalby.
187	Privy	George Taylor, William Taylor.		John Campleman.
188	Outbuildings	The Misses Loadman		The Misses Loadman.
189	Outbuildings	Mary Smith		Mary Smith.
190	Outbuildings	The Misses Loadman		Mary Leadly.
191	Outbuildings	The Misses Loadman		The Misses Loadman.
192	Outbuilding	The Misses Loadman		The Misses Loadman.
192*a*	Cottage	Morris Headley		John Gray.
193	Cottage	Mary Smith		Mary Smith.
194	Cottage	The Misses Loadman		Mary Leadley.
195	House	George Taylor, William Taylor.		John Campleman.

Local Government Supplemental.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
196	Cottage - -	Thomas Gittings -	- - -	Francis Gray.
197	Roadway to Spring Pumps.	The Local Board.	—	—
198	Roadway - - -	The Harbour Commissioners.	—	—
199	Wharf Wall - -	Henry Robinson.	—	—
200	Cottage - - -	Henry Robinson -	- - -	Thomas Harrison.
201	Cottage - -	Henry Robinson -	- - -	Francis Thompson.
202	Cottage - - -	Henry Robinson -	- - -	Francis Gray.
203	Warehouses - - -	Henry Robinson -	- - -	Francis Gray, Thomas Williamson, John Boddy, Thomas Siddall, Edward Rycroft.
203a	Sail Loft - -	Thomas Scrivener -	- - -	Thomas Scrivener.
204	Garden - - -	The Reverend W. Welburn.	- - -	Edward Samuel Brett.
204a	Privy and Ash Bin -	John Thompson -	- - -	John Thompson.
205	Stable and vacant Ground.	John Thompson -	- - -	John Thompson.
206	House and Warehouse -	William Barnett, jun.	- - -	John Gray.
207	Waste Ground and Breakwater.	John Simpson, George Simpson, Sarah Gray, George Gray, Mrs. Lowther.	—	—
208	Waste Ground and Breakwater.	Mary Savage, Benjamin Sharp Sawden, Henry Brambles, William Watson, Thomas Richard Hall.	—	—
209	Wooden Steps to Sands	The Local Board.	—	—
210	Houses, Bath, and Watch-house.	John Bishop - -	- - -	John Bishop, William Pickering, Captain D. Herbert.
211	Jetty - - -	John Bishop -	- - -	John Bishop.
211a	Vacant Ground - -	Mary Ann Wray -	- - -	Unoccupied.
212	Esplanade Terrace -	The Lords Feoffees of the Manor of Bridlington.	William Watson, Robert Tonge, Mrs. Wright, Paul Parrott, William Kennedy Gardner, William Forth, Edward Rycroft, and Mary Dawson.	—
213	Stone Steps to Sands -	The Local Board.	—	—
214	Sea Wall and Roadway -	Robert Tonge -	—	—
215	House and Grounds -	Robert Tonge -	- - -	R. B Haworth.
216	Esplanade Roadway -	The Local Board.	—	—
217	Short Lane Roadway -	The Local Board.	—	—
218	Vacant Ground -	Robert Tonge.	—	—
218a	Vacant Ground - -	George Gray -	—	—
219	Pleasure Ground -	Burton Ellis -	- - -	Burton Ellis.
220	Pleasure Ground -	Harland Bullock, John Cameron.	- - -	Harland Bullock, John Cameron.
221	Pleasure Ground -	William Harrison -	- - -	Robert Ellis, William Ware, Miss Hitchman.
222	Pleasure Ground -	John Speck - -	- - -	John Speck.

Local Government Supplemental.

No. on Plan	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
223	Roadway on Cliff Top -	The Local Board, Burton Ellis, John Cameron, Harland Bullock, William Harrison, John Speck, Edward Ridsdale Harding, —— Laver, —— Pickering, Lucy Makins, Mark Barr.	——	——
224	Pleasure Ground -	Edward Ridsdale Harding.	- - -	Edward Ridsdale Harding.
225	Pleasure Ground -	—— Laver, —— Pickering.	——	——
226	Field - - -	Lucy Makins -	- - -	John Harrison.
227	Private Footpath -	Lucy Makins -	- - -	John Harrison.
228	Field - - -	Lucy Makins -	- - -	John Harrison.
229	Road to Sands and Cliff Top.	The Local Board.	——	——
230	Wooden Bridge -	The Local Board.	——	——
230*a*	Waste Ground - -	Mark Barr.	——	——
231	Sea Wall and Terrace -	Lucy Makins.	——	——
232	Cliff - - -	Cliff.	——	——
233	House and Lifeboat House.	Henry Marshall, The Reverend Henry Ward.	- - -	John Boddy, John Ross.
233*a*	Beach - -	Beach.	——	——
234	Stable - - -	James Gray Mainprize.	- -	Joseph Ripley.
235	Stable - - -	Robert Baron -	- - -	Joseph Ripley.
236	House and Shop -	William Smith -	- - -	William Smith.
237	Hotel - - -	Elizabeth Johnson -	- - -	James Crannis.
238	House and Shop -	Mathew Shepherdson.	- - -	Matthew Shepherdson.
239	House - - -	Mrs. Barker - -	- - -	Mrs. Constable.
240	House - - -	Mrs. Barker - -	- - -	Mrs. Meek.
241	House - - -	William Massa -	- - -	John Eggleston.
242	Cottage - - -	Mrs. Sarah Elliott -	- - -	Sarah Elliott.
243	Cottage - -	George Baron -	- - -	John Wilson.
244	Cottage - - -	Morris Headley, George Richardson.	- - -	William Jackson.
245	Cottage - -	Mary Chew - -	- - -	Mary Chew.
246	Public House - -	Mary Chew -	- - -	Thomas Ashby.
247	House and Shop - -	Mary Chew - -	- - -	Matthew Knaggs.
248	Garden - -	John Frank Lamplugh.	- -	John W. Morgan.

BRIGHOUSE.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Brighouse Local Board.

WHEREAS the Commissioners under the Brighouse Local Improvement Act (9 Vict. cap cccLxxxv.), intituled "An Act for sewering, draining, and lighting "the Hamlet of Brighouse, in the Township of Hipperholme-cum-Brighouse, in "the Parish of Halifax, in the West Riding of the County of York," acting as the Local Board in and for the District of Brighouse aforesaid, have, in pursuance of the Local Government Act, 1858 (which has in part been duly adopted within such District), presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of the said Local Act, being an Act, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, and for other purposes in such Petition set forth and specified:

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition:

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said herein-before recited Local Act specified in the Schedule hereunto annexed shall be repealed.

2.—The powers, authorities, and duties of the said Commissioners under the unrepealed portions of the said Local Act, shall be transferred to a Local Board to be elected in the manner and form set forth and prescribed by the Local Government Act, 1858, within the period of one month from the date of the passing of any Act of Parliament confirming this present Order.

3.—The said Local Board for the District of Brighouse shall consist of twelve members, of whom one third shall retire annually at such time and in such manner as is prescribed by the Local Government Act, 1858.

4.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be hereby transferred to and vested in the said Local Board, and shall be held and applied by the said Local Board for the general purposes of such Local Board.

5.—All

5.—All debts, monies, and securities for money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if the portions of the Local Act specified in the said Schedule had not been repealed, and shall be paid and satisfied by the said Local Board as by such Commissioners: Provided always, that if such property and estate be insufficient for the purposes aforesaid, the deficiency shall be charged upon the rates leviable under the said Local Act and the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

Given under my hand, this sixth day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

Schedule to which this Order refers.

The sections to be repealed in the herein-before recited Local Act (9 Vict.) are the sections numbered respectively 1, 11, and 35.

BURNLEY.

Provisional Order altering a Local Act in force within the District of Burnley in the County of Lancaster.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Burnley in the County of Lancaster, acting in execution of the Burnley Improvement Act, 1854, and also as Local Board for the District of the said Borough in which the Local Government Act, 1858, has been partially adopted, have, in pursuance of the said last herein-before mentioned Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for an alteration and amendment of the Burnley Improvement Act, 1854, that being a Local Act of Parliament in force within the said District aforesaid, such Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit.

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State,

do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—That the eighty-second section of the aforesaid "Burnley Improvement Act, 1854," which enacts, "That the Commissioners may and shall "make to all persons for gas supplied by the Commissioners a "uniform charge at so much as they from time to time determine for "every thousand cubic feet, but not exceeding the rate of three "shillings and sixpence for one thousand cubic feet," shall be repealed, and that in lieu thereof the following section shall be substituted; that is to say,—

"That the Commissioners, as now represented by the Corporation of "Burnley, shall have power to charge to all persons supplied with gas "within 'the Town' as defined by the 'Burnley Improvement Act, "1854,' (section 3,) a sum not exceeding three shillings and sixpence "per one thousand cubic feet; and to all persons supplied with gas "outside the boundaries of the said town, a sum not exceeding four "shillings and sixpence per one thousand cubic feet."

Given under my hand, this Twenty-seventh day of June, in the year One thousand eight hundred and sixty-four.

(Signed) G. Grey.

HENLEY.

Provisional Order partially repealing and altering a Local Act in force within the District of Henley-upon-Thames in the County of Oxford.

Whereas the Henley-upon-Thames Local Board have, under the provisions of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of certain sections of the Local Act (21 Geo. 3. cap. 33., intituled "An Act for building a Bridge "over the River Thames at the Town of Henley-upon-Thames in the County "of Oxford, and making commodious Avenues thereto; for widening some "Part of the High Street and the Market Place; for lighting and watching, "for regulating the Footways in, and for removing Nuisances, Obstructions, "and Annoyances from, the said Town"), as set forth and specified in such Petition, and that such alterations may be made in the herein-before recited Local Act, and such powers and authorities vested in the Local Board aforesaid, as may be necessary to enable them to carry out the objects sought by such Petition.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and held in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Rawlinson, Esquire, the Inspector appointed for the purpose.

And

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order —

1.—The parts of the Henley-upon-Thames Local Act aforesaid (21 Geo. 3. cap. 33.), specified in the Schedule hereunto annexed, shall be repealed

2.—All the powers, duties, and authorities of the Corporation of the Town of Henley-upon-Thames, as the Commissioners for putting the said Act into execution, shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the repealed portions of the said Act which in case this Order had not been made and confirmed would have belonged to such Corporation as such Commissioners shall pass to the Local Board aforesaid.

3.—All existing debts and liabilities to or from or by such Corporation, acting as such Commissioners, shall respectively be paid to or satisfied by the said Local Board; and all payments in respect thereof by the said Local Board, including all such charges and expenses as such Corporation, acting as aforesaid, may incur in lighting and paving such part of the Henley-upon-Thames Local Board District as is under their jurisdiction until the Local Act aforesaid be repealed, may be made out of the General District Rates leviable in the said District under the Local Government Act, 1858, and all payments in respect thereof to the said Local Board shall go in aid of the General District Rates of the said District. And the future cost and expense of the execution by the said Local Board of the transferred powers and authorities shall be paid out of and form part of the General District Rates of the said District, and be subject to the provisions relating to General District Rates.

4.—The Local Board for the aforesaid District of Henley-upon-Thames shall be authorized and empowered to pay and discharge out of any rate or rates to be made by them under and by virtue of the Local Government Act, 1858, such charges and expenses as have been legally and duly incurred by the summoning officer or other person or persons engaged in and about the adoption of the said Local Government Act within the District of Henley-upon-Thames aforesaid.

Given under my hand this eighth day of February One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHE-

SCHEDULE to which this Order refers.

The parts of the Local Act 21 Geo. 3. cap. 33. herein-before referred to in this Order to be repealed, as described in such Order, are as follows; that is to say,

All the sections of the said Local Act from section 45 to section 63, both inclusive.

SHIPLEY.

Provisional Order partially repealing and altering a Local Act in force within the District of Shipley, Yorkshire, and to extend the Borrowing Powers of the Local Board for that District.

WHEREAS the Local Board of Health in and for the District of Shipley, in the Township of Shipley, in the West Riding of the County of York, to which the Public Health Act, 1848, was duly applied by an Order of Her most Gracious Majesty in Council, bearing date the 21st day of February, 1853, have under the powers of the Public Health, Act, 1848, and the Shipley Waterworks and Police Act, 1854, executed Works of Water Supply:

AND WHEREAS the said Local Board have borrowed, for the purposes of such Water Supply, and with the authority of the General Board of Health, the sum of 14,000*l.*, authorized by the said Shipley Waterworks and Police Act, 1854:

AND WHEREAS the said Local Board have, with the authority of the General Board of Health and of Her Majesty's Principal Secretary of State for the Home Department, borrowed on security of the Special and General District Rates of the said District the sum of 18,050*l.*, of which the sum of 9,500*l.* has been applied for the purposes of Water Supply:

AND WHEREAS the sums so borrowed have proved insufficient for the construction of adequate Waterworks:

AND WHEREAS the said Local Board have, in pursuance of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying that the said Shipley Waterworks and Police Act, 1854, may be altered, by enlarging the borrowing powers under the said Act to the sum of 40,000*l.*

And that the said Local Board should be at liberty to exchange the mortgages securing the sums amounting to the said sum of 9,500*l.* so borrowed as aforesaid, or any such mortgages, for mortgages of like amount, to be issued under the said enlarged borrowing power:

AND WHEREAS in pursuance of the said Local Government Act, 1858, inquiry has been directed in the District, in respect of the several matters mentioned in the said Petition:

AND

AND WHEREAS it appears to me expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, 1858, I, as Her Majesty's Principal Secretary of State for the Home Department, do by this Provisional Order, under my hand direct that from and after the passing of any Act of Parliament confirming this Order, as follows:—

1.—The 38th Section of the Shipley Water Works and Police Act, 1854, shall be read as if the words "Forty thousand Pounds" had been inserted therein in the place of the words "Fourteen thousand Pounds."

2.—In case any persons holding mortgages for securing the sums amounting to the said sum of 9,500*l*, borrowed for the purposes of the Water Supply of the said District on the security of the Special and General District Rates of the District, shall desire to exchange the same mortgages for mortgages of like amount to be issued under the powers of the said 38th Section of the Shipley Waterworks and Police Act, 1854, so altered as aforesaid, the said Local Board may exchange the same accordingly, and the amounts of such exchanged mortgages shall be deemed to have been borrowed as part of the said sum of 40,000*l.* authorized to be borrowed by the Shipley Waterworks and Police Act, 1854, so altered as aforesaid.

Given under my hand this 16th day of February 1865.

(Signed) G. GREY.

WALLINGFORD.

Provisional Order repealing a Local Act in force within the District of the Wallingford Local Board.

WHEREAS the Local Board for the District of the Borough of Wallingford in the County of Berks, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the partial repeal of a certain Local Act of Parliament (35 Geo. 3.) in force within the District aforesaid, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the thirty-fifth year of the reign of King George the Third, intituled "An Act for paving the footways, and for cleansing, "lighting, watching, and regulating the streets, lanes, passages, and places,

" within the Borough of Wallingford in the County of Berks, and for " removing and preventing nuisances, annoyances, encroachments, and " obstructions therein "

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the matters mentioned in the said Petition, by Robert Morgan, Esquire, the Inspector appointed for that purpose.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The section of the said Local Act 35 Geo. 3. cap. 75. specified in the Schedule hereunto annexed shall be retained.

2.—All the property and estate of the Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board.

3.—All debts and liabilities under the said Local Act shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then such debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities.

4.—All expenses under the said Local Act shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

Given under my hand this First day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHE-

SCHEDULE to which this Order refers.

The section of the herein-before recited Local Act (35 Geo. 3. cap. 75.) to be retained is section 48., saving the rights of the Corporation of Wallingford and others to prevent nuisances.

LLANGOLLEN.

Provisional Order for extending the Borrowing Powers of the Llangollen Local Board.

WHEREAS the Local Board for the District of Llangollen in the County of Denbigh have received the sanction of the Secretary of State to borrow, under the provisions of the Local Government Act, 1858, sums, amounting in the whole to 4,562*l.* 10*s.*, to defray the expense of works in the said District, being works of a permanent nature under the aforesaid Act; and whereas a further sum will be required to carry out and complete the said works, and to carry out other works of a permanent nature, but such further sum, with the herein-before mentioned 4,562*l.* 10*s.*, will exceed the assessable value for one year of the premises assessable under the said Act within such District

AND WHEREAS the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to re-borrow the said sum of 4,562*l.* 10*s.*, and to borrow any further sum on mortgage of the rates leviable by the aforesaid Local Board under the powers of the Local Government Act, 1858, the said two sums not exceeding in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

AND WHEREAS after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board for the District of Llangollen in the County of Denbigh shall have power and authority to re-borrow the said sum of 4,562*l.* 10*s*, and to borrow any further sum or sums for the execution and completion of the aforesaid works, or for the carrying out of any other works of a permanent nature, on mortgage of the rates leviable by the Local Board aforesaid, under the aforesaid Act, the said sums not exceeding in the whole two years' assessable value of the premises assessable under

under such Act within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Seventh day of February One thousand eight hundred and sixty-five.

(Signed) G. GREY.

ORMSKIRK.

Provisional Order for extending the Borrowing Powers of the Ormskirk Local Board of Health.

WHEREAS the Public Health Act, 1848, has been duly applied to the District of Ormskirk in the County of Lancaster.

AND WHEREAS the Local Board of Health for the said District have borrowed, under the Provisions of the aforesaid Act and of the Local Government Act, 1858, sums, amounting in the whole to 11,700*l.*, to defray the expense of works for the Sewerage of and Supply of Water to the said District, being works of a permanent nature under the aforesaid Acts; and whereas a further sum will be required to carry out and complete the said works, and to carry out other works of a permanent nature, but such further sum, with the herein-before mentioned 11,700*l.*, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

AND WHEREAS the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to re-borrow the said sum of 11,700*l.*, and to borrow a further sum on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, the said sums not exceeding in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

AND WHEREAS after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Ormskirk in the County of Lancaster shall have power and authority to re-borrow the said sum

sum of 11,700*l.*, and to borrow any further sum or sums for the execution and completion of the aforesaid works and other works of a permanent nature, and on mortgage of the rates leviable by the Local Board of Health aforesaid, under the aforesaid Acts, the said sums not exceeding in the whole two years' assessable value of the premises assessable under such Acts within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this third day of February One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SWANSEA.

Provisional Order for extending the Borrowing Powers of the Swansea Local Board of Health.

Whereas the Public Health Act, 1848, has been duly applied to the District of the Borough of Swansea in the County of Glamorgan.

And whereas the Local Board of Health for the said District have duly borrowed, under the provisions of that Act and of the Local Government Act, 1858, sums, amounting in the whole to Sixty-eight thousand Pounds, to defray the expense of works for the drainage of and supply of water to the said District, being works of a permanent nature under the aforesaid Acts: And whereas, exclusive of the said sum of Sixty-eight thousand Pounds so borrowed, there existed at the time of the application of the aforesaid Public Health Act, 1848, by the said District, a debt of Eleven thousand Pounds due from the former Town Commissioners, which debt remains still due, a further sum will be required to carry out and complete the said works and to carry out other works of a permanent nature, but such further sum, with the sums herein-before mentioned, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

And whereas the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums which, with the amounts herein-before mentioned, shall not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas, after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer

 of

of such Petition should be granted; but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That from after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Swansea in the County of Glamorgan shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a sum which, together with the debt of Eleven thousand Pounds, and the sums already sanctioned to be borrowed by the Local Board aforesaid, shall not exceed in the whole two years' assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this second day of February One thousand eight hundred and sixty-five.

(Signed) G. GREY.

TORMOHAM.

Provisional Order for extending the Borrowing Powers of the Tormoham Local Board of Health.

WHEREAS the Public Health Act, 1848, has been duly applied to the District of Tormoham in the County of Devon.

AND WHEREAS the Local Board of Health for the said District have duly borrowed, under the provisions of that Act and of the Torquay Waterworks Act, 1856, of the Local Government Act, 1858, and of the Local Government Supplemental Act, 1864 (No. 2.), sums, amounting in the whole to Fifty-seven thousand Pounds, to defray the expense of works for the drainage of and supply of water to the said District, and other works of a permanent nature under the aforesaid Acts: And whereas, exclusive of the said sum borrowed and now remaining due and payable from such Local Board, a further sum will be required to carry out and complete the said works and to carry out street improvements and other works of a permanent nature, but such further sum, with the sums herein-before mentioned, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

AND WHEREAS the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's

Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums not exceeding altogether Thirty thousand Pounds additional, which, with the amounts herein-before mentioned, will not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas, after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Tormoham in the County of Devon shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature and of street improvement within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a sum which, together with the debt of Fifty-seven thousand Pounds, so already borrowed by the Local Board aforesaid, and now remaining unpaid and due, shall not exceed in the whole two years' assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this eighth day of February One thousand eight hundred and sixty-five.

(Signed) G. Grey.

LOCKWOOD.

Provisional Order for altering the Boundaries of the District of Lockwood, in the Parish of Almondbury, in the West Riding of the County of York, under the Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted within the Township of Lockwood, in the Parish of Almondbury, in the West Riding of the County of York; and whereas a Petition has been duly presented to me as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, from the Local Board for the Township of Lockwood aforesaid, praying that the District of the said Local Board might be extended by including therein certain pieces or parcels of

of land in the adjoining Township of South Crosland, as described in the said petition from such Local Board

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed and duly held in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the purpose.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of Lockwood, in the Parish of Almondbury, in the West Riding of the County of York, shall be extended by including within its boundaries the pieces or parcels of lands which are known respectively by the names of Battye's Farm (containing 77A. 1R. 35P. or thereabouts), Battye's Farm Common right (containing 25A. 2R. 30P. or thereabouts), and Beaumont's Croft (containing 3A. 2R. 14P. or thereabouts); also the whole breadth of such portion of France Lane between the numbers 1a and 2a on the plan accompanying the aforesaid Petition as is co-extensive with and adjoins upon the said Battye's Farm Common right, being a length of 332 yards or thereabouts.

2.—The Local Board for the time being for the District of Lockwood shall be the Local Board for the District as altered by this Order and the Act of Parliament confirming the same

Given under my hand this Fifth day of July in the year One thousand eight hundred and sixty-four.

(Signed) G. GREY.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXV.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Derby*, *Ramsgate*, *Oswestry*, *Bury*, *Heap*, *Cockermouth*, *Matlock Bath*, and *Bromsgrove*. [9th *May* 1865.]

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and

Proviso as to Lands in Ramsgate of the Board of Trade not being taken without Consent.

and be as binding and of like Force and Effect as if the Provisions of the same had been expressly enacted in this Act: Provided always, that nothing in this Act or in the Order hereby confirmed shall be deemed to empower the Local Board of Ramsgate to enter upon, take, or use any of the Lands, Hereditaments, or Works vested in the Board of Trade by "The Harbours and Passing Tolls, &c. Act, 1861," without or otherwise than in accordance with the previous Consent in Writing of the Board of Trade under the Hand of One of the Secretaries of the said Board.

Annual Payment to Matlock Local Board by Matlock Bath Local Board for Highway Purposes.

2. On the First Day of *January* in every Year the Local Board for the District of *Matlock Bath* shall, out of the Rates for that District, pay to the Local Board for the District of *Matlock* the annual Sum of Twenty Pounds, towards the Repair of the Highways within the District of *Matlock*, but a proportionate Part only of the said Sum, calculated from the Day on which this Act comes into operation, shall be payable on the First Day of *January* next ensuing on the passing of this Act; and the Local Board for the District of *Matlock Bath* are hereby authorized to treat the said yearly Payment as an Expenditure for Highway Purposes, and to include the same in Highway Rates and Accounts accordingly.

Act incorporated with 21 & 22 Vict. c. 98.

3. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

4. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865 (No. 2)."

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. DERBY.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health otherwise than by Agreement, for Street Improvements.
2. RAMSGATE.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board otherwise than by Agreement, for Street Improvements.
3. OSWESTRY (Salop).—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board otherwise than by Agreement, for Drainage and other Works.
4. BURY (Lancashire).—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board otherwise than by Agreement, for Street Improvements.
5. HEAP (Lancashire). Putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board of the Middle Division of Heap (Lancashire) for the Purchase and taking of Lands otherwise than by Agreement, for Street Improvements.
6. COCKERMOUTH.—Putting in force the Lands Clauses Consolidation Act, 1845, within the Cockermouth Local Board District for the Purchase of Lands by the Local Board of the District, for Works of Drainage, &c.
7. COCKERMOUTH.—Extending the borrowing Powers of the Local Board.
8. MATLOCK.—Altering the Boundaries of the District of Matlock in the County of Derby under the Local Government Act, 1858.
9. BROMSGROVE.—Altering the Boundaries of the District for the Purposes of the Local Government Act, 1858.

DERBY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Derby in the County of Derby, for the Purchase of Lands by the Local Board of Health for the aforesaid District for Street Improvements.*

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Derby in the County of Derby, by the Council of such Borough, acting as the Local Board for that District, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this order—

The said Local Board of Health for the District of Derby aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twenty-first day of March in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following:—

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Shop, show, and store rooms.	Eliza Bent, as acting trustee of the late Dr. Bent.		Joseph Linnell Carter.
2	House, shop, and yard	Joseph Bolus -	George Warwick Husband.	George Warwick Husband.
3	House and shop -	Elizabeth Eld -	Frederick Ward -	Hatters' Industrial Association, James Dyson, secretary and manager, Manchester; Edwin Oldham, Agent at Derby.
4	House and shop -	Elizabeth Eld -		John Harvey.
5	Shop, show room, work room, and warehouses.	Lord Scarsdale -	James Haskew -	James Haskew.
6	House and shops -	Anne Stevens; Wm. Hall (trustee.)	Henry Spencer and Thomas Lloyd.	Thomas Lloyd.
7	House, shop, yard, and the warehouse adjoining melting house.	William Hall - -		Samuel Cantrell.
8	Melting house and rooms over.	Anne Stevens; Wm. Hall (trustee.)	Henry Spencer -	Henry Spencer.
9	House and shop -	Frances Alice Moss -		Jean Dequé.
10	House, shop, workshop, and yard.	Sarah Ann Brown -		Robert Watts.
11	House, shop, warehouse, and yard.	Sarah Ann Brown -		James Bown Hopkinson.
12	Shop, show rooms, workshops, and yard.	Sarah Ann Brown -		John Ward and Joseph Ward.
13, 14	House and plumber's shop in yard.	Sarah Ann Brown -		Jabez Porter.
15	House, shop, yard, and warehouse.	Wm. Thos. Cox and Jane Cox.		Weatherhead, Walters, & Co.
15a	Warehouse in yard (old mill.)	Rev. John Cox -		Weatherhead, Walters, & Co.
16	Wine and spirit vaults and warehouses.	Wm. Thos. Cox and Jane Cox.		Edward Weatherhead and James Drewry, (Hallam's executors); William Wykes, manager.
17	House, shop, warehouses, garden, and yard.	Richard Jones -	William Medley -	William Medley.
18	House, shop, printing and binding offices, outbuildings, garden, and yard.	James Alfred Rowbottom, Henry Burn, and Esther Rowbottom.		James Alfred Rowbottom.

Local Government Supplemental (No. 2).

No. on Plan	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
19	House, shop, offices, yard, and photographic rooms.	Executors of the late Franz Wilhelm Thelen (James Brennen and Richard John Hodges.)		Elizabeth Thelen, Samuel Whitaker, and James Brennen.
20	House, shop, show rooms, workshops, warehouses, and yard.	Crompton, Newton, & Co.		Samuel Evans.
21	Houses and shops -	Town and County Library, Building Fund; John Nicholas Kahrs, Secretary.		Thos. Griffiths and William Enoch Ford.
21a	Late Town and County Library, offices, and news room.	Town and County Library, Building Fund; John Nicholas Kahrs, Secretary.		(Void.)
22	Old warehouse or shop	Jeremiah Briggs -		(Void.)
23	That portion of All Saints Churchyard abutting on Iron Gate and Queen Street, from Amen Alley to College Place.	Simeon's Trustees, viz. :—Rev. Canon William Carus, Rev. John Venn, Rev. Edmund Holland, Rev. Edward Auriol, and Rev. William Cadman; Rev. Edward Walwyn Foley, the Incumbent.		Rev. Edward Walwyn Foley, Incumbent, Henry Howe Bemrose, and Benjamin Brindley, Churchwardens.
24	Warehouse - -	Henry Cox - -	James and George Haywood.	James and George Haywood.

SECRETARY'S LIBRARY.

RAMSGATE.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Ramsgate in the County of Kent, for the Purchase of Lands by the Local Board of the aforesaid District for Street Improvements and other Works.

WHEREAS the Commissioners for improving the Parish of Ramsgate in the County of Kent, acting as the Local Board for that District, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings, messuages, and premises to enable them to form and widen streets and roads, to build certain bridges and make proper approaches thereto, and to execute certain other public works within such District of Ramsgate.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Commissioners acting as the Local Board for the District of Ramsgate shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plans accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twenty-first day of March in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order, are the following :—

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	FIRST PART.			
	Comprising the LANDS required for the intended NEW ROAD from HARBOUR STREET to WELLINGTON CRESCENT.			
73	Ship Inn Public House, Buildings, and Land.	Richard Tomson, Hugh Block, Alexander Robinson, Martin Long Daniel, William Henry Frend, Thomas Wotton.	- - - -	Henry Keene.
74	House and Land -	Sarah Laming Williams.	- - - -	Neame Baker Kennard.
74a	Ditto - -	Reverend Henry Joseph Bevis.	Samuel Redgrave Wilson.	Samuel Redgrave Wilson.
75	House, Buildings, and Land.	Charlotte Rammell, George Rammell, Robert Lake.	Elijah Leach -	Elijah Leach.
76	House and Land -	Thomas Ferrett -	- - - -	Thomas Ferrett.
77	Ditto - -	Thomas Spain -	- - - -	William Stanner.
78	Two Houses and Land	Robert Fowler -	- - - -	Stephen Pilcher. William Forwood.
79	Yard - -	Thomas Ferrett, Thomas Spain, Robert Fowler.	—	—
80	House and Land -	John Cuttler -	- - - -	John Cuttler.
81	Ditto - -	Mary Martha Pantin	- - - -	Mary Martha Pantin.
82	Ditto - -	Harriet Fowler Hughes.	- - - -	Harriet Fowler Hughes.
83	Stables and Land -	Susannah Elizabeth Bax.	- - - -	George Wattson.
84	Buildings and Garden Land.	Board of Trade -	- - - -	Francis Shaw.
85	Garden and Land -	Joseph Canham, James Joseph Barry, Devisees of Mary Hannah Wade Gery, Harriett Elliott, Sarah Hodges, Stephen Knight, Susannah Elizabeth Bax,	—	— .

Local Government Supplemental (No. 2).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
		Joseph Low, George Perkins and Elizabeth Frazer his Wife, William Miller, Edward Charles Hales Wilkie, George Page, Henry Page.		
86	Land now used as a Road.	Board of Trade -	- - - -	Robert Brain, Joseph Hazeldine, George Pritchard, Joel Culmer Hurst.
87	Land - -	Edward Charles Hales Wilkie.	James Stock Daniel, Lodowick Anderson Pollock, Henry Curling, John Cuttler, George Silvanus Snowden, George Smale Potter.	George Smale Potter and the other Lessees.
88	Garden Ground -	William Miller -	- - - -	Augustus Cooper.

SECOND PART.

Comprising the LANDS required for the improvement of the ROAD from the SOUTH EAST end of HARBOUR STREET to the SOUTH WEST side of SION HILL.

89	Storehouses, Buildings, and Land.	Board of Trade -	- - - -	Board of Trade, Samuel Beeching, Thomas Moses, George Stevens, junior.
90	Land - - -	Hunter -	- - - -	James Smith.
91	House and Land -	Frances Smith -	James Smith -	Frances Smith.
92	House, Shop, and Land.	Thomas Parnell -	- - - -	John Thomas Williams, George Williams.

THIRD PART.

Comprising the LANDS required for the improvement of YORK STREET and QUEEN STREET.

1	Dwelling House and Land.	Elizabeth Saxby, James Saxby.	- - - -	Lewis Finch.
2	House and Land -	Sophia Curling -	Herbert Horne -	Herbert Horne.
3	Ditto - -	Daniel Saunders Bradford.	- - - -	Charles Moody.
4	Ditto - -	Ann Dawson -	- - - -	John Woodhurst.
5	Ditto - -	Harriet Foat -	- - - -	Henry William Britton.
6	Ditto - -	Ditto - -	- - - -	John Dernocour.
7	Bakehouse and Land -	Ann Bayly	- - - -	Dominico Cozza.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
8	House and Land -	John Christian -	- - - -	John Cristian.
9	Land Site of Passage -	Samuel Nounes Carvalho Alexander Israel Montefiore.	Augustine Tourneur	Augustine Tourneur.
10	House and Land -	John Burt - -	Charles Marriatt Bennett.	William Burton.
11	Ditto - -	Martin Commerford	- - - -	Edmund Wattson, Maria Reading.
12	Ditto - -	Ann Dawson -	- - - -	Alfred Bowler.
13	Ditto - -	Mary Ann Grundy -	- - - -	Robert Pilcher.
14	Shops, Stores, and Land.	William Crickett -	- - - -	William Crickett, Thomas Sutton.
15	House and Land -	Catherine Daniel -	- - - -	Catherine Daniel, Martin Long Daniel, Charles Daniel.
16	Land - -	George Martin Hinds.	- - - -	George Martin Hinds.
17	House and Land -	William Fagg -	- - - -	William Fagg.
18	Land - -	George Vye - -	- - - -	George Vye.
19	House and Land -	George Dunn -	- - - -	George Dunn.
20	Land - -	George Vye, James Stock Daniel, Martin Long Daniel, Charles Daniel.	—	—
21	House and Land -	Joseph Marriott -	- - - -	Joseph Marriott.
22	Buildings and Land -	Richard Tomson, Hugh Block, Alexander Robinson, Martin Long Daniel, William Henry Frend, Thomas Wootton.	- - - -	Harriett Tomson, Thomas Wotton.
22a	House, Coal Store, and Land.	Stephen Wootton -	- - - -	John Millen.
23	Land - -	John Dawson, George William Rowley.	- - - -	Vacant.
24	Ditto - -	Ditto - -	- - - -	Selina Anderson.
25	Ditto - -	Elizabeth Jane Richards.	- - - -	Eliza Lackett.
28	House and Land -	Samuel Nounes Carvalho Alexander Israel Abraham.	Augustine Tourneur	Augustine Tourneur.
29	Ditto - -	Sarah Maria Fox -	Jens Peter Jensen -	Jens Peter Jensen.
30	Ditto - -	Ditto - -	Harriett Frances King.	Harriett Frances King.
31	Ditto - -	William Standing, Richard James Spiers.	James Bates -	James Bates.
32	Ditto - -	John Leake Jarman, Jane Vye.	- - - -	William Woodruff.
	Buildings and Land -	William Crickett, Richard Hope.	- - - -	Joseph Clark, Frederick Knott, John Macy, Thomas Finch, William Webb.
	Land - -	George Page -	- - - -	George Page.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees.	Occupiers.
	FOURTH PART. Comprising the LANDS required for the widening the footpath leading from QUEEN STREET into CHAPEL PLACE.			
26	Land - -	Trustees of St. John's Hospital.	- - - -	Thomas Norman Wightwick.
27	Ditto - -	Richard Tomson, Hugh Block, Alexander Robinson.	- - - -	Ditto.
	FIFTH PART. Comprising the LANDS required for the making a CARRIAGEWAY from PROSPECT ROW into NELSON CRESCENT.			
73	Land - -	John Medmer Goodwin.	Susannah Harlow, Thomas Kiddams Forwalk and Frances his Wife.	Susannah Harlow, Thomas Kiddams Forwalk and Frances his Wife.
74	Ditto - -	Eliza Shepherdson	- - - -	Edward Boys.
75	Ditto - -	Mary Fowler -	- - - -	William Edward Adams, Ann Hoffman.
76	Ditto - -	Humphrey Bourn and Elizabeth Bourn his Wife.	Sarah Millgate King	Sarah Millgate King.
77	Ditto - -	Eliza Shepherdson	- - - -	Eliza Shepherdson.
78	Ditto - -	- - - -	- - - -	Thomas Cousins.
79	Ditto - -	Richard Hope -	- - - -	Eliza Hope, Jane Hope.
80	Ditto - -	Richard Hope, John Kebell Gwyn.	- - - -	Catherine Ninham.
81	Site of Wall - -	John Medmer Goodwin, Eliza Shepherdson, Mary Fowler, Humphrey Bourn and Elizabeth Bourn his Wife, Richard Hope, John Kebell Gwyn.	—	—
	SIXTH PART. Comprising the LANDS required for the improvement of KING STREET.			
28	Two Houses and Land	Lydia Righton -	William Hatch Rolfe	William Hatch Rolfe, Frederick Rolfe.
29	Three Cottages and Land.	Ditto - -	- - - -	Samuel Day, Sarah Head, Charlotte Thomas.
30	House and Land -	William Woodland	- - - -	Robert Maxted.
31	Ditto - -	Emma Gisby -	- - - -	Joseph Hughes.
32	Ditto - -	Samuel Brockman	- - - -	Samuel Brockman.
33	Ditto - -	Ditto - -	- - - -	Henry Woodward.

Local Government Supplemental (No. 2).

No. on Plan	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
34	House, Forge, and Land.	William Coules -	- - - -	William Coules.
35	Two Houses and Land	Fanny Sutton -	- - - -	Fanny Sutton, William Crosoer.
36	House and Land -	William Mascall -	- - - -	Thomas Gore.
37	Two Houses and Land	Henry Charles Markcrow.	- - - -	Edward Barnett, James Budds.
38	House and Land -	William Danton Sandwell.	- - - -	William Danton Sandwell.
39	Ditto - -	Hammond Fassam	- - - -	Hammond Fassam.
40	Two Houses and Land	Frederick Lewis Crow.	- - - -	Empty, Samuel Lazarus.
41	Three Houses and Land.	Ann Stevens -	- - - -	William Fielding, Maria Harris, Henry Hopson.
42	House and Land -	William Turrall -	- - - -	William Turrall.
43	Ditto - -	William Edward Smith.	- - - -	Peter Carr.
44	Ditto - -	Ditto - -	- - - -	Robert Harvey.
46	Ditto - -	Thomas Karn -	- - - -	William Twyman.
47	Ditto - -	Ditto - -	- - - -	Thomas Karn.
48	Buildings and Land -	William Edward Smith.	- - - -	William Edward Smith.
49	House and Land -	Ellen Clay, ——— Clay.	- - - -	George Henry Marriatt.
50	Ditto - -	Ditto - -	- - - -	Henry Challen.
51	Ditto - -	George Blackburn	- - - -	Edward Johnson Hobbs.
52	Ditto - -	Ann Gold - -	- - - -	John Denne, Mrs. —— Lording.
53	Garden - -	Ditto - -	- - - -	Mrs. ——— Lording, William Harrison, Mary Laming.
54	House and Land -	Ditto - -	- - - -	Mary Laming.
55	Ditto - -	Ditto - -	- - - -	Ann Gold.
56	Two Houses and Land	Hannah Huckstep, Walter Mongor.	- - - -	Elizabeth Pemble, George Cribbens.
57	House and Land -	Ditto - -	- - - -	John Holman
58	Land - -	Ditto - -	- - - -	Hannah Huckstep, Elizabeth Pemple, George Cribbens, John Holman.
59	Coal Store - -	Ditto - -	- - - -	Walter Mongor.
60	Land - -	Amey Challis -	- - - -	Robert Hughes, John Maxted.
61	House and Land -	Ditto - -	- - - -	Robert Hughes.
62	Ditto - -	Thomas Smith Thorpe.	- - - -	John Maxted.
63	Ditto - -	Benjamin Musten -	- - - -	George Moore.

SEVENTH PART.

Comprising the LANDS required for the improvement of HIGH STREET.

68	House and Land -	George Burgess, John Burgess, Peter Burgess, Charles John Burgess, Henry Miles Burgess, Thomas Woolley Burgess.	William Alexander Hunt.	William Alexander Hunt.
			- - - -	Francis Sayer.

Local Government Supplemental (No. 2).

No on Plan.	Description of Land intended to be taken	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees.	Occupiers
59	House known as the "New Inn," and Land.	Francis William Cobb, Henry Chippendale, Thomas Francis Cobb, Francis Carr Cobb, John Chippendale.		
60	House and Land -	Emma Henry -	William Stidolph -	William Stidolph.
61	Ditto - -	Richard Wraight -	- - - -	Richard Wraight.
62	Ditto - -	William Hudson -	Edmund Baldwin -	Edmund Baldwin.
63	Buildings and Land -	Ditto - -	- - - -	William Hudson.
64	Land - -	John Thomas -	John Crow Twyman	John Crow Twyman.
65	Ditto - -	Stephen Tring Henry Alliston.	Thomas Mayers -	Thomas Mayers.
66	Ditto - -	Ditto - -	John Barnet Hodgson.	John Barnet Hodgson.
67	Ditto -	John Barnet Hodgson.	- - - -	Robert Hicks.
68	House and Land	Michael John Doyle	Henry Maxted -	Henry Maxted.
69	Ditto - -	Susannah Elizabeth Bax.	George Earl Attwood	George Earl Attwood.
70	Ditto - -	Ditto - -	- - - -	Frances Baldock.
71	Ditto - -	Frances Cook -	- - - -	Frances Cook.
72	House and Land -	George Silvanus Snowden.	- - - -	George Silvanus Snowden.
	All the Land lying between the House No. 78 and the Street.	Stephen Philpott -	- - - -	Stephen Philpott.
	All the Land lying between the House No. 37 and the Street.	Frederick Lewis Crow.	- - - -	Edward William Cherrill.
	All the Land lying between the House No. 38 and the Street.	Ditto - -	- - - -	Thomas Spratt.

EIGHTH PART

Comprising the LANDS required for the intended NEW ROAD from HIGH STREET into CHATHAM STREET.

94	Land - -	George Wilson -	- - - -	George Wilson.
95	Ditto - -	Edward Francis Stratton Reader.	- - - -	Susan Woodward.
96	House and Land -	Ditto - -	- - - -	David Brown.
97	Ditto - -	Ditto - -	- - - -	Maria Webb.
98	Land - -	Charles Townley -	Maria Louisa Mann	Maria Louisa Mann.
	Ditto - -	Ditto - -	Ditto - -	Ditto.

NINTH PART.

Comprising the LAND required for the improvement of the ROAD in front of the PARAGON.

81	Land - -	Reverend Thomas Blandford.	- - - -	Mary Oney.

OSWESTRY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Oswestry in the County of Salop, for the Purchase of Lands by the Local Board of the aforesaid District for Drainage and other Works.*

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Oswestry in the County of Salop, acting as the Local Board for that District, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works for the supply of water, and also for drainage and irrigation works.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board, and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Oswestry aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement

Given under my hand this Fourth day of March in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following:—

No. on Plan.	Description of Property	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Field	Mrs. Mary Jane Ormsby Gore.		John Jones.
2	Field	Same		David Jones.
3	Cottage and Garden	Same	Thomas Hughes	Thomas Hughes.
4	Cottage and Garden	Same	Same	Alexander Humphreys.
5	Cottage	Same	Same	Thomas Rogers.
6	Occupation Road	Same, and Thomas Hughes.		Thomas Hughes, Alexander Humphreys, and Thomas Rogers.
7	Cottage and Garden	Mrs. Mary Jane Ormsby Gore.		John Williams.
8	Field, Footpath, and Stream.	Philip Jennings, Esq.		Richard Jones.
9	Turnpike Road	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	—	—
10	Field, Carriage Road, Stream, and Occupation Road.	Philip Jennings, Esq.		Richard Jones.
11	Field	Same		Same.
12	Field and Stream	Mrs. Mary Jane Ormsby Gore.		Sarah Hughes.
13	Plantation and Shrubbery.	Same		In hand.
14	Lodge and Carriage Drive.	Same		In hand, and Samuel Morris.
15	Field or Lawn	Same		Same.
16	Field and Stream	Same		Same.
17	Field and Stream, and Footpath.	Philip Jennings		Richard Jones.
18	Field and Stream	Mary Jane Ormsby Gore.		George Morrall Bickerton.
18a	Garden and Stream	Same		Same.
19	Field, Stream, and Hovel.	George Henry Warrington Carew.		Edward Edwards.
20	Occupation Road	Mary Smale		Elizabeth Baylis, Jane Jones, Josiah Williams, Mary Ann Bromley, Martha Peate, John Davies, Thomas Jones, and John Thomas.
21	Garden Ground	Mrs. Mary Jane Ormsby Gore.		In hand for Almshouses.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers
22	Turnpike Toll House and Gates.	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	- - - -	Edward Smith.
23	Occupation Road -	John Wynne Eyton, Esq., Richard Jones, and Ann Jane and Maria Roberts.	- - - -	John Roberts, Thomas Price Parry, Richard Jones, Simon Roberts, Hugh Lang, Edward Lloyd, Henry Jones, and John Thomas.
24	Turnpike Road -	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	—	—
25	Field, Footpath, Stream, and Occupation Road.	Ann Jane and Maria Roberts.	- - - -	Henry Jones.
26	Field, Footpath, and Stream.	Rowland Jones Venables, Esq.	- - - -	Thomas Jackson.
27	Occupation Road -	John Nield, Thomas Davies, Thomas Jones, James Redrobe, Jane Lloyd, William Richards, The Trustees of the Primitive Methodist Chapel, Thomas McKiernin, George Morris, Edward Tanner, Thomas Edwards, and John Evans.	- - - -	John Nield, John Thomas, Jacob Williams, John Bayley, Thomas Evans, Richard Williamson, John Owens, William Mason, Samuel Cookson, Edward Richards, Thomas Thomas, Joseph Phillips, Mary Jones, John Bromham, John Jones, Edward Davies, Edward Harwood, Peter Williams, William Lloyd, John Edwards, John Jones, Ann Leeke, Isaac Jones, Joseph Williams, Mary Morris, Charles Andrews, William Richards, Trustees of the Primitive Methodist Chapel, Robert Jones, Joseph Alfred Ludlow, Mary Agnes Eyeley, Catherine Thomas, William Garbutt, David Jones, William Jenkins, Robert Edwards, Richard Newill, James Thompson, Ellis Davies, Joseph Phillips, George Morris, Reverend Frederick Cashell, Edward Tanner, George Micklewright, Edward Bates, Robert Kelly, John Jones, Thomas Edwards, and John Evans.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Property.	Owners or reputed Owners	Lessees or reputed Lessees	Occupiers.
28	Chapel - -	The Trustees of the Primitive Methodist Chapel, Samuel Ward, Job Lea, Edward Parry, and Thomas Rowlands.	—	—
29	Rope Walk, Stream, and Road.	Thomas McKiernin	- - - -	In hand.
30	Occupation Road and Stream.	Susannah Pearce, Richard Pearce, Robert Jones, Thomas Jones, and Thomas McKiernin.	- - - -	Richard Tomley, Thomas Jones, Richard Pearce, Mrs. Susan Davies, Griffith Evans, Robert Jones, Thomas Madeley, Samuel Wrench, Isaac Williams, Henry Tooley, John Jones, David Evans, Henry Lloyd, Thomas McKiernin, Sarah Thomas, John Sangers, Edward Thomas, Joseph Townley, and David Roberts.
31	House, Building, and Stream.	Susannah Pearce -	- - - -	William Lewis.
32	Timber Yard, Sheds, House, Garden, Stream, and Orchard.	Walter Edwards -	- - - -	Isaac Holland.
32a	Three Cottages, Workshop, and Garden.	Henry Lewis -	- - - -	Henry Lewis, Francis Watson, and Lewis and Son.
33	Occupation Road -	Richard Pearce, Robert Jones, The Trustees of the Calvinistic Chapel, John Goodwin, Edward Jones, Thomas Davies, John Richards, John Hurdsman, Richard Vaughan, John Tunley, and James Richards.	- - - -	William Jones, John Ellis, Thomas Morgan, John Edwards, William Williams, Edward Richards, Thomas Evans, Griffith Griffiths, Richard Pugh, Edward Jones, Mrs. Margaret Eaton, James Edwards, Samuel Sides, Robert Jones, Mrs. Catherine Sykes, John Jones, Job Gotridge, Peter Capper, Samuel Tench, James Paddock, Elizabeth Jones, David Edwards, Richard Jones, William Jones, Edmund Bridden, Charles Woodworth, John Davies, Alfred Cluff, Catherine Jones, Robert Colly, Joseph Higgins, Samuel Daniels, Mrs. Mary Tunna, John Williams, John Evans, Henry Wright, Edwin Davies, Samuel Pearce, Edward Ro-

No. on Plan.	Description of Property.	Owners or reputed Owners	Lessees or reputed Lessees	Occupiers
				berts, Daniel Campbell, Edward Price, John Thomas, Thomas Meredith, Edward Edwards, Thomas Oliver, Edwin James, Henry Green, Hugh Jones, William Frost, David Hughes, John Richards, Thomas Morgan, John Cowdry, William Jones, Thomas Hollings Pryce, William White, Thomas Trillow, Thomas Hughes, Edward Lewis, John Jones, Charles Bland, Isaac Smith, Edward Griffiths, George Allen, Richard Vaughan, John Eaton, Thomas Bubb, and James Richards.
34	Turnpike Road -	The Commissioners of the Holyhead Road, John Haywood, Clerk.	—	—
35	Road - -	Great Western Railway Company.	- - - -	Great Western Railway Company.
36	Wharves, Sidings, Railway, and Sheds.	Same - -	- - - -	Same, and William and John Morris and James Morris.
37	Road, Wharf, Stream, Siding, and Railway.	The Cambrian Railway Company.	Thomas Savin.	—
37*a*	Station and Warehouse.	Same - -	Same.	—
38	Waste Land -	Thomas Savin -	- - - -	Thomas Savin.
39	Garden - -	Boydell Jones Croxon.	- - - -	Henry Thomas.
39*a*	Occupation Road -	Same, and Henry and Ellen Thomas, Robert Evans, John Thomas, The Trustees of the Wesleyan Chapel, William Jones and Thomas Griffiths, Jane Bolver, Richard Hughes, and Catherine Whitridge.	- - - -	Thomas Horner, John Duncan, John Macgregor Mills, John Munslow, Nathaniel Pryce, John Thomas, Trustees of the Wesleyan Chapel, William Jones and Thomas Griffiths, Jane Bolver, John Criddle, Jonathan Cheeseman, John Jenkins, Thomas Edwards, Henry Knox, George Thomas, Thomas Ellis, James Revitt, William Warburton, Thomas Tunna, Ann Fagan, Joseph Ward.
40	Field and Stream -	John Jones -	- - - -	Edward Pryce.

Local Government Supplemental (No. 2).

No on Plan	Description of Property	Owners or reputed Owners	Lessees or reputed Lessees.	Occupiers.
41	Railway Sheds, Landing, and Sidings.	The Cambrian Railway Company.	Thomas Savin.	—
42	Garden - -	William Morris -	- - - -	In hand.
43	Railway Siding -	Cambrian Railway Company, George Lewis, Secretary, and William and John Morris.	—	—
44	House, Buildings, Garden, and Road.	Cambrian Railway Company, George Lewis, Secretary.	- - - -	Edward Mansell.
45	Turnpike Road -	The Commissioners of the Holyhead Road, John Haywood, Clerk.	—	—
46	Garden - -	The Reverend Thomas Salwey.	- - - -	William Brentnall.
47	Waste Land - -	The Cambrian Railway Company, George Lewis, Secretary.	—	—
48	Field and Stream -	Joseph Bassett, Esq.	- - - -	In hand.
49	Railway and Bridge, and Stream.	The Cambrian Railway Company, George Lewis, Secretary.	—	—
50	Occupation Road -	Thomas Savin, Joseph Bassett, and William Moreton.	- - - -	In hand.
51	Field - -	Thomas Savin -	- - - -	William Moreton.
52	Field - -	Same - -	- - - -	Same.
52*a*	Waste Land -	Same - -	- - - -	Unoccupied.
53	Turnpike Road -	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	—	—
54	Field and Garden -	Jackson Salter -	- - - -	John Hughes.
55	Toll House, Gate, and Garden.	The Commissioners of the Holyhead Road, John Haywood, Clerk.	—	—
56	Field - -	The Reverend John Thomas.	- - - -	Giles Davies.
57	Yard and Outhouses -	William Jones -	- - - -	William Jones, George Jones, Robert Plimley, Frederick Plimley, Evan Edwards, and David Christopher Davies.
58	Garden - -	Same - -	- - - -	William Jones.
59	Garden - -	Thomas Price -	- - - -	Charles Haswell.
60	Garden - -	Thomas Cadwalladr	- - - -	In hand.
61	Bark House or Shed -	Robert Evans -	- - - -	In hand.
62	Tan Yard, Pits, and Store Rooms.	Robert Evans -	- - - -	In hand.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Property	Owners or reputed Owners.	Lessees or reputed Lessees	Occupiers.
63	Yard, Garden, Stream, and Buildings and Road.	Philip Jennings, Edward Evans, George Evans, and Harriet Jones.	- - - -	Robert Blaikie, Edward Evans, Samuel Davies and David Williams, Samuel Dyas, Richard Rogers, Robert Samuel Williams, John Wright, Richard Price, Thomas Mitchell, David Morris Robert Walker, and Ellen Jones.
64	Field and Watercourse	Charles Jones -	- - - -	James Thomas Jones.
65	Burial-ground and Watercourse.	Thomas Salwey, Vicar, and the Churchwardens of Oswestry.	—	—
66	Occupation Road -	Edward Williams, Esq., Philip Jennings, Esq., James Redrobe, Mrs. Mary Jane Ormsby Gore, Reverend Ambrose Short, William Hughes, William Gilbert, James Bratton, Esq., and John Williams.	- - - -	Thomas Whittaker, Lydia Worton, Edward Rogers, William Gilbert, John Richards, Rees Daniel, Thomas Williams, William Hollis, John Powell, David Samuels, John Jones, Hugh Morris, Thomas Jones, Thomas Morris, Samuel Steventon, William Colly, Mary Jones, Martha Evans, William Clarke, David Lloyd, Benjamin Shutt, Thomas Dunn.
67	Turnpike Road -	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen Surveyor.	—	—
68	Turnpike Road and Toll Gate.	Same.	—	—
69	Turnpike Road -	Same.	—	—

BURY.

BURY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Bury in the County of Lancaster, for the Purchase of Lands by the Local Board of the aforesaid District for Street Improvements.

WHEREAS the Bury Improvement Commissioners, acting under and by virtue of the Bury Improvement Act, 1846, acting as the Local Board for the District of Bury, in the County of Lancaster, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement within their District.

AND WHEREAS the said petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by Agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Rawlinson, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Bury aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by Agreement.

Given under my hand, this First day of April, in the year one thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following:

No. on Plan	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers
	No. 1.—CASTLECROFT IMPROVEMENT.			
	Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called CASTLECROFT, from the INDEPENDENT CHAPEL to BOLTON STREET.			
1	House and Shop -	The Earl of Derby. The Representatives of the late John Hill; namely, Charles Hill and James Hill.	The Representatives of the late John Hill; namely, Charles Hill and James Hill.	Francis Frederick Weaver.
2	House, Yard, and Outbuilding.	Ditto - -	Ditto - -	Ditto.
3	Cottage - -	Ditto - -	Ditto - -	Esther Davenport.
4	Common Passage -	Ditto - -	Ditto - -	Esther Davenport, Francis Frederick Weaver, Jane Woolfenden, John Moscrop, James Smith, James Chadwick, and Robert Chadwick.
5	Cottage - -	Ditto - -	Ditto - -	Jane Woolfenden.
6	House, Shop, Yard, and Outbuildings.	Ditto - -	Ditto - -	James Smith.
7	House, Yard, and Outbuilding.	The Earl of Derby	The Representatives of the late Alice Rothwell; namely, John Young, Thomas Pilkington, John Hill Pilkington, and Mary Hodgson, for Ann Bridge and Mary Rothwell.	Thomas Collins.
8	House, Shop, Yard, and Outbuildings.	Ditto - -	Ditto - -	Betty Booth.
9	Common Passage -	Ditto - -	The Representatives of the late Alice Rothwell; namely, John Young, Thomas Pilkington, John Hill Pilkington, and Mary Hodgson, for Ann Bridge and Mary Rothwell, Samuel Buckley.	Richard Scholes, Henry Mills, Henry Greaseley, Betty Booth, Thomas Collins.

BENGAL SECRETARIAT LIBRARY

Local Government Supplemental (No. 2).

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	No. 2.—BOLTON STREET IMPROVEMENT.			
	Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called BOLTON STREET, from the HOUSE occupied by Dr. BARWISE to a certain other Street called HILL STREET.			
1	Passage - -	The Earl of Derby, William Hall.	William Hall -	Robert Copeland Gregg, John Briercliffe.
2	House and Shop -	Ditto - -	Ditto - -	Robert Copeland Gregg
3	Ditto - -	Ditto - -	William Hall, Robert Copeland Gragg.	John Briercliffe.
4	Ditto - -	The Earl of Derby, John Clarke, and John Cropper, Trustee for Jane Clarke.	John Clarke and John Cropper, Trustee for Jane Clarke.	John Clarke.
	No. 3.—THE WYLDE IMPROVEMENT.			
	Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving certain Streets called BOLTON STREET and THE WYLDE.			
1	Beerhouse, Yard, and Premises.	The Earl of Derby, Thomas Norris.	Thomas Norris -	Robert Walsh.
2	House and Shop -	Ditto - -	Ditto - -	John Whitehead.
3	Ditto - -	Ditto - -	Ditto - -	Martha Hamer.
	No. 4.—AGUR STREET IMPROVEMENT.			
	Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving the South-east Side of a certain Street called AGUR STREET.			
1	Yard - - -	The Reverend Edward James Geoffrey Hornby. The Representatives of the late Edmund Grundy, deceased, namely, Thomas Grundy, Edmund Grundy, Robert Grundy, and James Wrigley.	The Representatives of the late Edmund Grundy, deceased, namely, Thomas Grundy, Edmund Grundy, Robert Grundy, and James Wrigley, Thomas Dewsbury Croft.	Thomas Dewsbury Croft.

Local Government Supplemental (No. 2).

No. on Plan	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
2	Dwelling House and Shop.	The Reverend Edward James Geoffrey Hornby, Samuel Bullivant.	Samuel Bullivant -	Patrick Mannion.
3	Dwelling House -	Ditto - -	Ditto - -	Ditto.
4	Ditto - -	Ditto - -	Ditto - -	Isaac Whitehouse.
5	Yard - -	Ditto - -	Ditto - -	John Duckworth.
6	Beerhouse, Yard, and Outbuildings.	Ditto - -	Ditto - -	Ditto.

No. 5.—CROMPTON STREET IMPROVEMENT.

Showing the LANDS proposed to be taken for the purpose of making, laying out, and forming a new Street, in continuation of CROMPTON STREET, from the existing termination of CROMPTON STREET through the CROSS KEYS YARD, and forming an intersection with FLEET STREET, at or near the House and Shop in the occupation of GEORGE GREAVES.

1	House - - -	The Reverend Edward James Geoffrey Hornby, the Representatives of the late Richard Hamer; namely, James Hamer and John Hamer.	The Representatives of the late Richard Hamer; namely, James Hamer and John Hamer.	Elizabeth Hamer.
2	House - -	The Reverend Edward James Geoffrey Hornby, Betty Dean, and James Dean.	Betty Dean and James Dean.	Betty Dean and James Dean.
3	House - - -	The Reverend Edward James Geoffrey Hornby, Ann Dean.	Ann Dean - -	George Rawson.
4	House - -	The Reverend Edward James Geoffrey Hornby, James Kay.	James Kay - -	Bernard Doherty.
5	House - - -	The Reverend Edward James Geoffrey Hornby. The Representative of the late Joseph Smethurst; namely, Richard Battersby.	The Representative of the late Joseph Smethurst; namely, Richard Battersby.	John Conroy.
6	House - -	Ditto - -	Ditto - -	Henry Howard.
7	House - - -	Ditto - -	Ditto - -	Ditto.
8	Common Passage -	The Reverend Edward James Geoffrey Hornby, James Kay.	James Kay - -	Michael Bligh, Bernard Doherty, William Pickles, Robert Hoyle, John Ramsbottom, Michael Hogan, and Robert Seddon.
9	House - -	Ditto - -	Ditto - -	Michael Bligh.
10	House - - -	Ditto - -	Ditto - -	Pilot Rawson.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
11	Part of Yard - -	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Joseph Entwistle.	Joseph Entwistle.
12	House - -	The Reverend Edward James Geoffrey Hornby, Thomas Crompton.	Thomas Crompton -	Thomas Crossley.
13	Warehouse, Chandler's Shop, Yard, and Outbuildings.	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, William Howard.	William Howard.
14	Chandler's Shop -	Ditto - -	Ditto - -	Ditto.
15	Cottage used as a Warehouse.	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, William Howard.	William Howard.
16	Privy, Yard, Ash-pit, and Coal-house.	Ditto - -	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Joseph Entwistle.	Joseph Entwistle.
17	Bakehouse and Cottage.	Ditto - -	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	George Greaves.
18	Common Passage and Yard.	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Thomas Crompton, James Kay.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Thomas Crompton, James Kay, Joseph Entwistle, William Howard.	Bernard Doherty, John Conroy, Henry Howard, Michael Bligh, William Pickles, Robert Hoyle, John Ramsbottom, Michael Hogan, Robert Sheddon, Pilot Rawson. Joseph Entwistle, Thomas Crossley, William Howard, George Greaves, Thomas Crompton, William Warhurst, Benjamin Bassett, William O'Bryan, John Glyn.

Local Government Supplemental (No. 2).

No. on Plan	Description of Property proposed to be taken.	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees.	Occupiers.
19	Shop and Dwelling House.	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	George Greaves.
20	House and Shop.	Ditto - -	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Joseph Entwistle.	Joseph Entwistle.

No. 6.—FLEET STREET IMPROVEMENT, No. 1.

Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called FLEET STREET, from the corner of the CHURCHYARD near the RED LION INN to the GATES forming the entrance to the RECTORY, BURY.

1	Part of Churchyard -	The Rector and Churchwardens of the Parish Church of Bury.	—	—
2	Public Footpath -	The Bury Improvement Commissioners.	- - - -	The Bury Improvement Commissioners. The Bury and Radcliffe Waterworks Company.
3	Shop Public House, Dwelling House, and Premises.	The Reverend Edward James Geoffrey Hornby, Samuel Openshaw.	Samuel Openshaw -	Samuel Openshaw.
4	House and Shop -	The Reverend Edward James Geoffrey Hornby, Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead.	Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead.	Samuel Bullivant.
5	Ditto - -	The Reverend Edward James Geoffrey Hornby, William McLean.	William McLean.	Jonathan Entwistle.
6	Ditto - -	The Reverend Edward James Geoffrey Hornby, Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead.	Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead.	Henry Dearden.
7	House, Shop, and Premises.	Ditto - -	Ditto - -	Ralph Unsworth.

Local Government Supplemental (No. 2.)

No. on Plan	Description of Property proposed to be taken	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
8	Common Entry and Yard.	The Reverend Edward James Geoffrey Hornby, Samuel Openshaw, Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead, William McLean, Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, Lawrence Park.	Samuel Openshaw, Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead, William McLean, Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, Lawrence Park, William Park, Benjamin Holland, William Walker, Joshua Fielding.	Robert Reeves Clark, Ralph Unsworth, Jonathan Entwistle, Henry Dearden, William Park, Samuel Openshaw, John Whitehead, Sarah Moran, Michael McNichols, Charles Brown, John Bannan, Sarah Ann Yates, James McLachlan, Thomas Halstead, Benjamin Holland, William Walker, Samuel Bullivant, James Thornman, Thomas Hyland.
9	House, Shop, Yard, and Outbuilding.	The Reverend Edward James Geoffrey Hornby, Lawrence Park.	Lawrence Park, William Park.	William Park.
10	House, Shop, and Premises.	The Reverend Edward James Geoffrey Hornby, Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor.	Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, Benjamin Holland.	Benjamin Holland.
11	House and Shop -	Ditto - -	Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, William Walker.	William Walker.
12	Ditto - -	Ditto - -	Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, Joshua Fielding.	Unoccupied.
13	Ditto - -	The Reverend Edward James Geoffrey Hornby, Joseph Newbold.	Joseph Newbold, Joseph Dearden.	Joseph Dearden.
14	Ditto - -	Ditto - -	Joseph Newbold, William Henry Downham.	William Henry Downham.
15	Common Yard -	The Reverend Edward James Geoffrey Hornby, Joseph Newbold.	Joseph Newbold, Joseph Dearden, William Henry Downham.	Joseph Dearden, William Henry Downham.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	No. 7.—FLEET STREET IMPROVEMENT, No. 2.			
	Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving the South Side of FLEET STREET, by the purchase of a projecting BEERHOUSE near the WHITE HORSE INN.			
1	Beerhouse and Premises.	The Reverend Edward James Geoffrey Hornby, Lawrence King.	Lawrence King, William Kay.	William Kay.
	No. 8.—TITHE-BARN STREET IMPROVEMENT.			
	Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called TITHE-BARN STREET.			
1	House, Shop, Yard, and Premises.	The Reverend Edward James Geoffrey Hornby, Matthew Weston and Ellen Isabella his Wife.	Matthew Weston and Ellen Isabella his Wife.	Henry Vickerman.
2	House and Shop -	The Reverend Edward James Geoffrey Hornby, Joseph Newbold.	Joseph Newbold -	Eliza Shaw.
3	Cottage - -	Ditto - -	Ditto - -	James Kay.
4	Rectory Garden -	The Reverend Edward James Geoffrey Hornby.	- - - -	The Reverend Edward James Geoffrey Hornby.
	No. 9.—MOORSIDE IMPROVEMENT.			
	Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called PARADISE STREET, from a Yard, Beerhouse, and Premises occupied by THOMAS GREENWOOD to MOORSIDE.			
1	Beerhouse, Dwelling-house, Yard, and Outbuildings.	The Earl of Derby. James Armstrong Varley, Ellen Porter. The Executors of the late John Kay; namely, William Henry Kay and John Porter.	James Armstrong Varley, Ellen Porter. The Executors of the late John Kay; namely, William Henry Kay and John Porter, Edward Barlow and Robert Edmondson, the Bury Brewery Company (Limited).	Thomas Greenwood.
2	House, Shop, and Outbuildings.	Ditto - -	James Armstrong Varley, Ellen Porter. The Executors of the late John Kay; namely, William Henry Kay and John Porter.	Ellen Porter.

No. on Plan.	Description of Property proposed to be taken	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	No. 10.—CROSS STREET IMPROVEMENT.			
	SHOWING the LANDS proposed to be taken for the purpose of making, laying out, and forming a certain new Street in continuation of CROSS STREET, from CLERKE STREET to the WHITE LION YARD, and forming a Junction with ROCK STREET.			
1	Beerhouse, Dwelling House, Yard, Stable, and Outbuildings.	The Reverend Edward James Geoffrey Hornby, Thomas Horrocks.	Thomas Horrocks -	William Kenyon.
2	Brewhouse - -	Ditto - -	Ditto - -	Ditto.
3	Stable - -	Ditto - -	Ditto - -	Ditto.
4	Open Yard - -	Ditto - -	Ditto - -	Ditto.
5	House and Yard -	Ditto - -	Ditto - -	John Green.
6	House - -	Ditto - -	Ditto - -	Richard Wardle.
7	House and Warehouse	The Reverend Edward James Geoffrey Hornby. The Representative of the late William Porter Holt; namely, Betty Holt.	The Representative of the late William Porter Holt; namely, Betty Holt.	Michael Mannion.
8	Cart-house - -	Ditto - -	Ditto - -	Ditto.
9	House - - -	Ditto - -	Ditto - -	Ditto.
10	Part of Common Yard	The Reverend Edward James Geoffrey Hornby. Thomas Horrocks, the Representative of the late William Porter Holt; namely, Betty Holt.	Thomas Horrocks. The Representative of the late William Porter Holt; namely, Betty Holt.	William Kenyon, John Green, Richard Wardle, Michael Mannion, Hannah Kenyon.
11	House used as a Salt Warehouse.	The Reverend Edward James Geoffrey Hornby. The Representative of the late William Porter Holt, namely, Betty Holt.	The Representative of the late William Porter Holt; namely, Betty Holt.	William Kenyon and Hannah Kenyon.
12	House and Warehouse	Ditto - -	Ditto - -	Ditto.
13	House and Shop -	The Reverend Edward James Geoffrey Hornby, the Trustees of Isaac Wood, deceased, William Adams Sherlock and John Edmondson, the said John Edmondson and Isabella, his Wife, John Thomas Sherlock and Hannah	The Trustees of Isaac Wood, deceased, William Adams Sherlock and John Edmondson, the said John Edmondson and Isabella his Wife, John Thomas Sherlock and Hannah his Wife, and their Trustees, the said William Adams	John Ashworth.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
		his Wife, and their Trustees, the said William Adams Sherlock and John Edmondson, Redmond Realli and Martha his Wife.	Sherlock, and John Edmondson, Redmond Realli and Martha his Wife.	
14	House and Yard -	Ditto - -	Ditto - -	Samuel Gregory.
15	House and Yard -	Ditto - -	Ditto - -	Norris Bentley.
16	House - -	Ditto - -	Ditto - -	John Howarth.
17	House - -	Ditto - -	Ditto - -	Robert Cook.

No. 11.—STANLEY STREET IMPROVEMENT.

Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called STANLEY STREET.

1	House and Buildings used as Offices and Boardroom.	The Reverend Edward James Geoffrey Hornby. The Bury Improvement Commissioners.	The Bury Improvement Commissioners.	The Bury Improvement Commissioners.
2	House and Shop -	The Reverend Edward James Geoffrey Hornby. The Representatives of the late Squire Horrocks; namely, Robert Carlisle and John Costeker.	The Representatives of the late Squire Horrocks; namely, Robert Carlyle and John Costeker. Jacob Scholes.	Robert Scholes.
3	House and Shop -	Ditto - -	The Representatives of the late Squire Horrocks; namely, Robert Carlyle and John Costeker. John Bird.	John Bird.

HEAP.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Middle Division of Heap, in the County of Lancaster, for the Purchase of Lands by the Local Board of the aforesaid District for Street Improvements therein.

WHEREAS the Local Board for the District of the Middle Division of Heap, in the County of Lancaster, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement, and for other public works within the said District.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of the Middle Division of Heap, in the County of Lancaster, shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twenty-eighth day of March, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following:—

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	FIRST PART. Comprising the LANDS required for the improvement of BRIDGE STREET.			
1	Cottage - -	Robert Leigh, John Farnworth, and James Clegg Kershaw.	- - - -	Mary Spencer.
2	Cottage - -	Ditto - -	- - - -	James Ashworth.
3	House and Shop -	Samuel Schofield, and Executors of John Hardman.	- - - -	Thomas Chadwick.
	SECOND PART. Comprising the LANDS required for the improvement of CHURCH STREET.			
4	Land - -	William Langton, Charles Langton, William Hornby.	- - - -	John Howarth.
5	Land - -	Edward James Geoffrey Hornby, Julius Shadwell.	—	—
6	Public House and Yard.	Margaret Berkett -	Mark Whitehead -	Mark Whitehead.
7	Stable and Brewhouse	Ditto - -	Ditto - -	Ditto.
8	Cottage and Yard -	Ditto - -	- - - -	Edmund Cropper.
9	Ditto - -	Ditto - -	- - - -	Joseph Richardson.
10	Ditto - -	Ditto - -	- - - -	Josiah Livsey.
11	Ditto - -	Ditto - -	- - - -	Nelson Grimshaw.
12	Common Passage -	Ditto - -	- - - -	Edmd. Cropper, Joseph Richardson, Josiah Livsey, and Nelson Grimshaw.
13	Cottage and Yard -	James Morris -	- - - -	John Diggle.
14	Ditto - -	Ditto - -	- - - -	John Moore.
15	House, Shop, and Yard.	Ditto - -	William Crabtree -	William Crabtree.
16	Ditto - -	Ditto - -	- - - -	Robert Whitworth.
17	Cottage - -	Ditto - -	- - - -	Samuel Landale.
18	Ditto - -	Ditto - -	- - - -	Joseph Medcalf.
19	Ditto - -	Ditto - -	- - - -	Jacob Livsey.
20	Ditto - -	Ditto.	—	—
21	Ditto - -	Ditto - -	- - - -	Richard Marsden.
22	House and Shop -	Ditto - -	Joseph Moore -	Joseph Moore.
23	House, Yard, Slaughter House, and Wood Shed.	Ditto - -	- - - -	Edmund Horrocks.
24	Common Yard -	Ditto - -	- - - -	William Crabtree, Robert Whitworth, Samuel Landale, Joseph Medcalf, JacobLivsey, Richard Marsden, Joseph Moore, and Edmund Horrocks.

COCKERMOUTH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the Cockermouth Local Board District, for the Purchase and taking of Lands by the said Board otherwise than by agreement.

WHEREAS the Local Board in and for the District of Cockermouth, in the County of Cumberland, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land, buildings, and premises for the purpose of constructing waterworks, sewerage works, a market place, and fair ground within this District, and for other purposes set forth and described in such petition and shown upon the plans accompanying the same.

AND WHEREAS the said petition duly set forth in the Schedules annexed thereto the several pieces of land and the several buildings and premises intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid lands, buildings, and premises who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such petition prayed that the said Board might, with reference to such land buildings, and premises, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed inquiry, and report has been duly made to me thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board for the said District of Cockermouth shall be empowered to put in force, with reference to the lands, buildings, and premises referred to and described in the Schedules to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this Twenty-fourth day of March in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

The Schedules referred to in the foregoing Order.

The Lands, Buildings, and Premises proposed to be taken for the Purposes set forth in the preceding Order, and situate in the District of Cockermouth, are the following:—

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	Pieces of Land and Premises proposed to be taken.			
1	Field - - -	Andrew Green Thompson.	Peter Thomas Atkinson and Anthony Atkinson.	Peter Thomas Atkinson and Anthony Atkinson.
2	Occupation Road -	Same - -	- - - -	The Cockermouth, Keswick, and Penrith Railway Company, John Pearson, William Smethurst, Matthew Spedding, Peter Thomas Atkinson, Anthony Atkinson, and Andrew Green Thompson.
3	Waste Land - -	Same - -	- - - -	Andrew Green Thompson.
4	Bed and Banks of the River Cocker.	Same - -	- - - -	Andrew Green Thompson and Jeremiah Spencer.
5	Field - - -	William Wood, Hannah Wood, and Joseph Wood.	- - - -	Henry Scott Allison.
6	Field - - -	Revd. John Wordsworth.	John Graham -	John Graham.
	Pieces of Land and Premises through and over which Powers to make Sewers, &c. are proposed to be exercised.			
7	Turnpike Road -	Trustees of the Cockermouth and Workington Turnpike Roads.	- - - -	Trustees of the Cockermouth and Workington Turnpike Roads.
8	Railway and the Banks and Waste Land on each side thereof.	The Cockermouth and Workington, and Cockermouth, Keswick, and Penrith Railway Companies.	- - - -	The Cockermouth and Workington, and Cockermouth, Keswick, and Penrith Railway Companies.
9	Field - - -	Revd. John Wordsworth.	John Graham -	John Graham.

COCKER-

Local Government Supplemental (No. 2).

COCKERMOUTH.

Provisional Order for extending the Borrowing Powers of the Cockermouth Local Board.

WHEREAS the Local Board for the District of Cockermouth, in the County of Cumberland, require to carry out, under the provisions of the Local Government Act, 1858, works of a permanent nature, consisting of works of sewerage and water supply, and to lay out and construct a fair and market ground, within their District; but the sum that will be required to carry out and complete the said works will exceed the assessable value for one year of the premises assessable under the said Act within such District.

AND WHEREAS the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow any sum or sums not exceeding in the whole the amount of 19,000*l.* on mortgage of the rates leviable by the aforesaid Local Board under the powers of the Local Government Act, 1858, the said sum or sums not exceeding in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

AND WHEREAS after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

The Local Board for the District of Cockermouth, in the County of Cumberland, shall have power and authority to borrow any sum or sums for the execution and completion of the aforesaid works, being works of a permanent nature, on mortgage of the rates leviable by the Local Board aforesaid, under the aforesaid Act, the said sum or sums not exceeding 19,000*l.*, that amount also not exceeding in the whole two years' assessable value of the premises assessable under such Act within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Fifth day of April One thousand eight hundred and sixty-five.

(Signed) G. GREY.

MATLOCK.

MATLOCK.

Provisional Order for altering the Boundaries of the District of Matlock in the County of Derby, under the Provisions of the Local Government Act, 1858.

WHEREAS a petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th Section of the Local Government Act, 1858, and duly signed by a majority of the owners and ratepayers of the District of Matlock Bath, as settled for the purposes of the aforesaid Act, and of Scarthin Nick,—Scarthin Nick to commence at or near to the north corner of the field of land numbered 2310 on the plan made for the commutation of the tithes of the Parish of Matlock, and to proceed thence along the north-westwardly fence of the field numbered 2311 on the said Tithe Commutation Plan to the boundary which divides the Parish of Bonsall from the Parish of Matlock, and thence in a southwardly direction along such boundary to the boundary which divides the Township of Cromford from the Parish of Matlock, and thence in a south-eastwardly direction along the last-mentioned boundary to the river Derwent, and thence in a westwardly direction along the bank of the river to the District of Matlock Bath,—which said District of Matlock Bath and Scarthin Nick form part of the Parish of Matlock in the County of Derby, by which Parish the aforesaid Local Government Act, 1858, has been duly adopted, praying for the separation of the aforesaid parts from the said District of the Parish of Matlock.

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for the Parish of Matlock in the County of Derby, by which the Local Government Act, 1858, has been duly adopted as aforesaid, be altered by so much of the aforesaid District as is comprised within the boundaries of the District of Matlock Bath, as settled under the provisions and for the purposes of the said Act, and of Scarthin Nick, as herein-before described, being excluded from the District of the aforesaid Local Board for the Parish of Matlock.

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this

this Order, the members to be elected shall be elected for the whole of the District of the Matlock Local Board, as altered by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so altered as aforesaid.

Given under my hand this Fifteenth day of June in the year One thousand eight hundred and sixty-four.

(Signed) G. GREY.

BROMSGROVE.

Provisional Order for altering the Boundaries of the District of Bromsgrove in the County of Worcester, as constituted for the Purposes of the Local Government Act, 1858.

WHEREAS a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, and duly signed by the Local Board for the District of Bromsgrove in the County of Worcester, praying for an alteration of the boundaries of the said District, by the addition of a piece of land shown on the plan annexed to the said Petition, and which is required for the purpose of forming part of a new road, and is part of and situated within the Parish of Stoke Prior.

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the purpose.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the aforesaid Local Board for Bromsgrove in the County of Worcester be altered by the addition of the aforesaid piece of land to the aforesaid District.

2.—At every election of members of the Local Board for the District of Bromsgrove aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as extended by this

Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so extended.

Given under my hand this Eighth day of March One thousand eight hundred and sixty-five.

(Signed) G. GREY.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXVI.

An Act to provide for Superannuation Allowances to Officers of Unions in *Ireland*.

[26th *May* 1865.]

WHEREAS it is expedient that Provision should be made to enable Superannuation Allowances to be granted to Officers of Unions in *Ireland* who become disabled by Infirmity or Age to discharge the Duties of their Offices: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Guardians, with Consent of Poor Law Commissioners, to grant Superannuation Allowances to Officers in certain Cases.

1. That the Guardians of any Union in *Ireland* may, at their Discretion, with the Consent of the Commissioners for administering the Laws for Relief of the Poor in *Ireland*, grant to any Officer whose whole Time has been devoted to the Service of the Union, and who shall become incapable of discharging the Duties of his Office with Efficiency, by reason of permanent Infirmity of Mind or Body, or of old Age, upon his resigning or otherwise ceasing to hold his Office, an annual Allowance not exceeding in any Case Two Thirds of his then Salary, and shall charge such Allowance to the

the same Account as that to which such Salary would have been charged if he had continued in his Office.

Such Allowances not to be assignable, &c.

2. This Allowance shall be payable to or in trust for such Officer only, and shall not be assignable nor chargeable with his Debts or other Liabilities.

Limitation of Grants of Allowances.

3. No Officer shall be entitled to such Allowance on the Ground of Age who shall not have completed the full Age of Sixty Years, and shall not have served as an Union Officer for Twenty Years at the least.

Notice of Grant to be given to Guardians.

4. No Grant shall be made without One Month's previous Notice, to be specially given in Writing to every Guardian of the Union, of the Proposal to make such Grant, and the Time when it shall be brought forward.

Interpretation of Words herein used.

5. The Words herein used shall be interpreted in the Manner prescribed by the Acts in force for the Relief of the destitute Poor in *Ireland*.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

BENGAL SECRETARIAT LIBRARY.

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When Committee report unanimously "Opposition unfounded," Promoters to be entitled to recover Costs.

2. When the Committee on a Private Bill shall decide that the Preamble is proved, and further unanimously report that the Promoters of the Bill have been vexatiously subjected to Expense in the Promotion of the said Bill by the Opposition of any Petitioner or Petitioners against the same, then the Promoters shall be entitled to recover from the Petitioners, or such of them as the Committee shall think fit, such Portion of their Costs of the Promotion of the Bill as the Committee may think fit, such Costs to be taxed by the Taxing Officer of the House as herein-after mentioned, or such a Sum for Costs as the Committee shall name, with the Consent of the Parties affected; and in their Report to the House the Committee shall state what Portion of the Costs, or what Sum for Costs, they shall so think fit to award, together with the Names of the Parties liable to pay the same and the Names of the Parties entitled to receive the same: Provided always, that no Landowner who *bonâ fide* at his own sole Risk and Charge opposes a Bill which proposes to take any Portion of the said Petitioner's Property for the Purposes of the Bill shall be liable to any Costs in respect of his Opposition to such Bill.

Proviso.

Costs to be taxed.

3. On Application made to the Taxing Officer of the House by such Promoters or Petitioners, or by their Solicitors or Parliamentary Agents, not later than Six Calendar Months after the Report of such Committee, and in Cases where no Sum shall have been named by the Committee, with the Consent of the Parties affected, not until One Month after a Bill of such Costs shall have been delivered to the Party chargeable therewith, which Bill shall be sealed with the Seal or subscribed with the proper Hand of the Parties claiming such Costs, or of their Solicitor or Parliamentary Agent, the Taxing Officer shall examine and tax such Costs, and shall deliver to the Parties affected, or either or any of them, on Application, a Certificate signed by himself expressing the Amount of such Costs, or in Cases where a Sum for Costs shall have been named by the Committee, with the Consent as aforesaid, such Sum as shall have been so named, with the Name of the Party liable to pay the same, and the Name of the Party entitled to receive the same, and such Certificate shall be conclusive Evidence as well of the Amount of the Demand as of the Title of the Party therein named to recover the same from the Party therein stated to be liable to the Payment thereof; and the Party claiming under the same shall, upon Payment thereof, give a Receipt at the Foot of such Certificate, which shall be a sufficient Discharge for the same.

Powers of Taxing Officer.

4. All Powers given to the Taxing Officer by the Acts Ten and Eleven *Victoria*, Chapter Sixty-nine, and Twelve and Thirteen *Victoria*,

Victoria, Chapter Seventy-eight, with reference to the Examination of Parties and Witnesses on Oath, and with reference to the Production of Documents, and with reference to the Fees payable in respect of any Taxation, shall be vested in the Taxing Officer for the Purposes of this Act.

Recovery of Costs when taxed.

5. The Party entitled to such taxed Costs, or such Sum named by the Committee, with such Consent as aforesaid, or his Executors or Administrators, may demand the whole Amount thereof, so certified as above, from any One or more of the Persons liable to the Payment thereof, and in case of Nonpayment thereof on Demand may recover the same by Action of Debt in any of Her Majesty's Courts of Record at *Westminster* or *Dublin*, or by Action in the Court of Session in *Scotland*. In such Action it shall be sufficient, in *England* or *Ireland*, for the Plaintiff to declare that the Defendant is indebted to him in the Sum mentioned in the said Certificate; and the said Plaintiff shall, upon filing the said Declaration, together with the said Certificate and an Affidavit of such Demand as aforesaid, be at liberty to sign Judgment as for Want of Plea by Nil dicit, and take out Execution for the said Sum so mentioned in the said Certificate, together with the Costs of the said Action, according to due Course of Law: Provided always, that the Validity of such Certificate shall not be called in question in any Court.

Form of Action in Scotland.

6. In such Action it shall be sufficient, in *Scotland*, for the Pursuer to allege that the Defender is indebted to him in the Sum mentioned in the said Certificate, under the like Proviso in regard to the Validity of the Certificate.

Persons paying Costs may recover a Proportion from other Persons liable thereto.

7. In every Case it shall be lawful for any Person from whom the Amount of such Costs or Sum named by the Committee with Consent as aforesaid has been so recovered to recover from the other Persons, or any of them, who are liable to the Payment of such Costs or Sum named by the Committee with Consent as aforesaid a proportionate Share thereof, according to the Number of Persons so liable, and according to the Extent of the Liability of each Person.

When Committee report "Preamble not proved," Promoters to pay Costs out of Deposits.

8. In any Case in which the Committee shall have reported that the Preamble is not proved, and where, in accordance with the Standing Orders of either House of Parliament and of an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Deposit of Money or Stock is made with respect to the Application to Parliament for an Act, the Money or Stock so deposited shall be a Security

a Security for the Payment by the Promoters of the Bill for the Act of all Costs or Sums in respect of Costs, if any, payable by them under this Act; and every Party entitled to receive any Costs or Sum so payable shall accordingly have a Lien available in Equity for the same on the Money or Stock so deposited, and the Lien shall attach thereon at the Time when the Bill is first referred to a Committee of either House of Parliament; provided that where several Parties have the Lien for an Amount exceeding in the aggregate the net Value of the Money or Stock, their respective Claims shall proportionately abate.

Definition of Promoters.

9. When a Bill is not promoted by a Company already formed, all Persons whose Names shall appear in such Bill as promoting the same, and in the event of the Bill passing the Company thereby incorporated, shall be deemed to be Promoters of such Bill for all the Purposes of this Act.

Meaning of Private Bill.

10. For the Purposes of this Act the Expression Private Bill shall extend to and include any Bill for a Local and Personal Act.

Commencement of Act.

11. That this Act shall not take effect before the First Day of *November* One thousand eight hundred and sixty-five.

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CAP. XXVIII.

An Act to authorize certain Payments out of the Land Revenues of the Crown to provide Compensation for certain Claims in the *Isle of Man*. [26th *May* 1865.]

WHEREAS an Act of Tynwald was passed and promulgated by the Legislature of the *Isle of Man*, entitled "The *Isle of Man* Disafforesting Act, 1860," and by such Act certain Commissioners were to be appointed for carrying the same into execution, and by the Fifth Section of such Act such Commissioners were directed to ascertain, subject to the Proviso in that Section contained, the Boundaries of the Lands in the Forest in the *Isle of Man* uninclosed or which ought to be uninclosed, which Lands so intended to be ascertained were therein-after called the uninclosed Forest, and to determine all Claims relating to such Boundaries, which Boundaries, as ascertained by the said Commissioners, it was enacted should be conclusively deemed to be the true Boundaries of the uninclosed Forest for all the Purposes of that Act, provided that it should not be lawful for the said Commissioners to include within the said Boundaries any Part of the Shore of the Sea, or of any Creek, Bay, or Inlet thereof, so far as the Tide flowed at ordinary Spring Tides; and by the Sixth Section

 of

of the same Act the Commissioners were empowered, subject as in the said Act is mentioned, to sell any Part of the uninclosed Forest to defray Expenses; and by the Eighth Section of the same Act the said Commissioners were directed to receive Evidence as to the Nature and Value of the Rights of Her Majesty in the uninclosed Forest (other than the Rights in the same Section specified), and to allot to Her Majesty such Part of the uninclosed Forest, subject as in the said Act mentioned, as the said Commissioners should deem to be a sufficient and adequate Compensation for the said Rights of Her Majesty; and by the said Act it was enacted that the Part of the uninclosed Forest to be so allotted to Her Majesty should, on the making of the First Award in the said Act mentioned, remain or be absolutely vested in Her Majesty in right of Her Crown, as Part of the Possessions and Land Revenues of the Crown, freed from all Rights and Claims whatsoever, and that the Residue of the uninclosed Forest, in the said Act called the Commoners Allotment (after making the Sales and Allotments in the said Act mentioned), should, on making the First Award, and subject as in the said Act mentioned, be held by Her Majesty (until the same might be inclosed under the Second Award in the said Act mentioned) in trust for the several Persons for the Time being entitled to Rights of Common over the uninclosed Forest; and by the Fourteenth Section of the same Act it was provided, that, until the First Award had been made, any Memorandum in Writing under the Hands of the Commissioners of that Act, or any Two of them, should be sufficient Evidence of any Decision of such Commissioners; and by the said Act, after the making of the First Award, the Commissioner, in the said Act called the Third Commissioner, was directed to ascertain, by the Award, in the said Act called the Second Award, the several Persons entitled to Rights of Common over the uninclosed Forest, and to divide and allot the Commoners Allotment among such Persons, to set out Turbaries, Roads, Ways, and Fences, and to sell Land for Payment of Expenses: And whereas another Act of Tynwald was passed and promulgated in the last Year, entitled "An Act for making Compensation for certain Claims "in regard to certain Lands affected by the *Isle of Man* "Disafforesting Act, 1860," whereby, after reciting the last mentioned Act, and that *George Wingrove Cooke*, *Nathan Wetherell* (the Third Commissioner), and *James Henry Patteson*, Esquires, Barristers-at-Law, the Commissioners appointed to carry the said first-recited Act into execution, by a Memorandum in Writing dated the Twenty-fourth Day of *August* One thousand eight hundred and sixty-one, under their Hands, after reciting that they had ascertained the Boundaries of the Lands in the said Forest uninclosed or which ought to be uninclosed, did thereby make their Declaration

Declaration of the Boundaries of the uninclosed Forest in manner therein mentioned; and the said Commissioners further declared that it was their Intention that their Declaration should be construed with reference to certain Plans or Maps thereunto annexed, and that in case of any Doubt or Ambiguity arising from any Statement in that Declaration the Boundary Line indicated on the said Plans or Maps was on all Occasions to be deemed to afford conclusive Evidence as to the Direction of the true Boundary Line of the said uninclosed Forest; and further reciting that the said Commissioners had taken divers Proceedings under the first-recited Act, but that they had not made their First Award pursuant thereto; and further reciting that certain Claims were made before the said Commissioners to Portions of the uninclosed Forest as defined by the first-recited Act and by the said Declaration of Boundaries, upon the alleged Grounds that Licences granted by or on behalf of the Lord for the Time being of the *Isle of Man* were in existence authorizing the Inclosure of the Lands therein and in the said Claims described, under which Licences the Claimants were entered as Tenants on the Lord's Books, and had regularly paid Rent to the Lord or Lady of the Isle for the Time being, and some of the said Claims were disallowed by the said Commissioners, and that it was reasonable that such Compensation in respect of certain of the said Claims so disallowed, and of such other Claims as might thereafter be made and allowed, should be made as was by that Act provided; it is by the Act of Tynwald now in recital enacted, that the Provisions of the same shall be carried into execution by the Third Commissioner for the Time being under "The *Isle of Man* Disafforesting Act, 1860;" and it is further enacted that out of the Monies therein-after mentioned, and called the Compensation Fund, the Third Commissioner shall be paid such a Sum, not exceeding Two hundred Pounds, as the Inclosure Commissioners for *England* and *Wales* shall think reasonable, by way of Remuneration for carrying the Act now in recital into execution; and that the Commissioner shall also, out of the same Fund, pay or retain all Costs and Expenses of employing any Land Surveyor and Valuer, and all other reasonable Expenses to be incurred by the Third Commissioner in the Performance of his Duties under the same Act, subject to the Allowance by the Inclosure Commissioners for *England* and *Wales* of all Sums to be paid or retained out of the Compensation Fund; and after making certain other Provisions, including Provisions for giving Notice for Claims to be sent in, and for hearing Claims and Objections thereto, it is enacted that the Third Commissioner shall not allow a Claim to Compensation in any of the following Cases; that is to say, 1. Unless the Claim was made before the Commissioners under

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Isle of Man (Disafforestation) Compensation.

"The *Isle of Man* Disafforesting Act, 1860," and was disallowed by them on the Ground that the Terms of the Fifth Section of such Act precluded them from entertaining the same; 2. Or, in case where no Claim was made before the Commissioners, unless the Claimant was precluded or deemed himself to be precluded from making such Claim by reason of any Decision of the Commissioners to the Effect mentioned in the First Part of that Section; 3. Unless there is a Licence in existence, or sufficient Proof of a Licence having been granted, and not cancelled or disallowed by the Great Inquest, for the Inclosure of the Land in respect of which the Claim is made, and unless the Claimant or Person through whom he claims has been entered as the Tenant thereof in the Lords Books, and has paid Rent for the said Land to the Lord; 4. Unless the Boundaries of the Land in respect of which the Claim is made can be identified with the Description in the Licence, to the Satisfaction of the Third Commissioner; and, 5. Where any other Land than that in respect of which the Claim is made has been already inclosed under the Licence or Licences upon which the Claim is founded; and it is further enacted that the Decisions of the Third Commissioner upon all Claims to Compensation, and all other Matters referred to him under the Act now in recital, shall be final and conclusive; and it is further enacted that the Third Commissioner shall ascertain and decide what, at the Time of the Promulgation of "The *Isle of Man* Disafforesting Act, 1860," was the fair and reasonable marketable Value of the respective Interests of the several Persons whose Claims to Compensation may be established under the Act now in recital in the Lands referred to in their respective Claims, as such Lands and Interests then existed, and shall pay the Amount of the Value of each Claim to the Claimant, or to any Person legally entitled under him, out of the Compensation Fund, and shall apply the Balance, if any, of such Fund in manner following, that is to say, One Moiety thereof shall be paid to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and the other Moiety shall be applied by the Third Commissioner as Part of the Second Award Fund mentioned in the recited Act; and in case it shall happen that the Compensation Fund, after Payment of the Remuneration, Costs, and Expenses by the Act now in recital directed to be defrayed thereout, is not sufficient to satisfy the aggregate Value of the Claims to Compensation allowed under such Act, such Fund, after such Payments thereout as aforesaid, shall be apportioned and be divided by the Third Commissioner between and among the Claimants whose Claims are allowed by him according to the Value of their respective Claims, and such apportioned Parts shall be paid accordingly; and it is further enacted that, in order

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to provide the Fund in the Act now in recital called the Compensation Fund, to defray the Remuneration, Costs, and Expenses by such Act directed to be paid or retained thereout, and to answer such Claims as may be established before the Third Commissioner, there shall, subject as in the same Act mentioned, be raised such Sums, not exceeding in the whole the Sum of Five thousand Pounds, as may be necessary for the Purposes aforesaid; and it is further enacted that the Compensation Fund shall be raised in the Manner following, that is to say, One Moiety thereof shall, if the Parliament of the United Kingdom of *Great Britain* and *Ireland* shall so direct, be paid to the Third Commissioner by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues out of the Capital of Her Majesty's Land Revenue, and the other Moiety shall be raised and paid to the Third Commissioner by the Sale by the said Commissioner, in manner by that Act provided, of a Part of the Land which in the first-recited Act is described as the Commoners Allotment: Provided always, that no larger Sum than Two thousand five hundred Pounds in the whole shall be paid to the Compensation Fund by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and that no larger Sum than Two thousand five hundred Pounds in the whole shall be paid to the Compensation Fund by the Third Commissioner, out of the Proceeds of Sale of Part or Parts of the said Commons Allotment; and that if, in order to raise the Moiety of the Compensation Fund to be raised out of the Proceeds of Sale of Part or Parts of such Allotment, any Sale or Sales shall take place which shall realize a net Sum exceeding in the whole Two thousand five hundred Pounds, the Amount of such Excess shall be applied by the Third Commissioner as Part of the Second Award Fund, under the Provisions of the said first-recited Act; and that the said Commissioner shall return to the Lieutenant-Governor, for the Information of the Public, an Account of all Monies which may have been received by him from the Sale of Lands under the Authority of the same Act, and of the Mode in which the same shall have been disbursed and applied; and the said Act of Tynwald now in recital contains Provisions relative to the Sale of Part of the Commoners Allotment to raise One Moiety of the Compensation Fund for making of the Award of the Third Commissioner, and for saving of Rights under the first-recited Act: And whereas it is expedient that the Commissioners of Her Majesty's Woods, Forests, and Land Revenues should, with the Consent of the Commissioners of Her Majesty's Treasury, be authorized to pay, out of the Capital of Her Majesty's Land Revenue, such Sum or Sums of Money, not exceeding in the whole the Sum of Two thousand five hundred Pounds, as may be necessary to provide One Moiety of

the Compensation Fund mentioned in the second-recited Act of Tynwald: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Commissioners of Woods, with Consent of Treasury, may make certain Payments out of Land Revenue to meet Claims in second-recited Act of Tynwald.

1. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues may, with the previous Consent of the Commissioners of Her Majesty's Treasury, pay out of the Capital of Her Majesty's Land Revenue such Sums, not exceeding in the whole the Sum of Two thousand five hundred Pounds, as may be necessary to provide One Moiety of the Compensation Fund mentioned in the second-recited Act of Tynwald; and a Statement of every or any Payment so made, and of the Mode in which the same has been applied, shall be contained in the annual Report to Parliament which shall be first made by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues after such Payment takes place.

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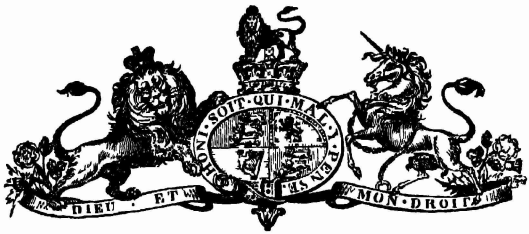

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any Time or Times, but not later than the Thirty-first Day of *March* One thousand eight hundred and sixty-six, to cause any Number of Exchequer Bonds to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of One million Pounds, and such Bond shall bear such Interest as shall be determined by the said Commissioners, not exceeding Four Pounds *per Centum per Annum*, and shall be paid off at Par at the Expiration of any Period or Periods not exceeding Five Years from the Date of such Bonds.

Interest on Bonds, and Repayment of Principal Money.

2. The Interest on such Bonds shall be paid half-yearly on such Days as shall be appointed by the said Commissioners, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof; and the Principal Monies secured by such Bonds shall be repaid out of such Money as shall be provided by Parliament in that Behalf.

Treasury may cause Exchequer Bonds to be prepared and issued.

3. The Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, cause or direct the Exchequer Bonds to be issued under the Authority of this Act to be prepared for such Principal Sums, not less in any Case than One hundred Pounds, together with Receipts or Certificates specifying the Interest from Time to Time accruing thereon, to be made out in such Manner and Form and bearing such Date as shall be fixed by the said Commissioners; and such Exchequer Bonds and the Interest accruing thereon respectively shall be transferable by the Delivery of such Bonds, and of the Receipts or Certificates for such Interest thereon respectively; and the said Commissioners may from Time to Time, subject to the Provisions herein contained, prescribe and regulate how and by what Officer or Officers such Exchequer Bonds shall be signed or otherwise authenticated, and provide for the Manner of Payment of the Interest accruing thereon, and also for the Issue of new Bonds in lieu of any such Bonds worn or defaced which may be delivered up to be cancelled, and for the Issue of new Bonds in lieu of such Exchequer Bonds as may be lost, at such Times, upon such Securities, and under such Conditions and Precautions as they may think fit, and generally make such Regulations for the Safety and Convenience of the Holders of such Bonds, and the Payment of Interest upon the Production or Delivery of such Receipts or Certificates, or otherwise, as they may think fit; and the said Commissioners may, by such Regulations as aforesaid, provide, if they shall see fit, for the Registration of any such Bonds as may be delivered up by the Holders thereof for that Purpose, and for the Delivery of Certificates of such Registration in lieu thereof, which shall be transferable by Entries in a Register which may be provided for that Purpose in

in such Manner and subject to such Conditions and Restrictions as the said Commissioners may see fit; and every such Warrant shall from Time to Time be published in the *London Gazette*.

Application of Clauses 16, 17, 18, and 19 of 17 & 18 Vict. c. 23.

4. The several Sections Sixteen, Seventeen, Eighteen, and Nineteen of the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Twenty-three, shall apply and be construed to and in relation to the Exchequer Bonds to be prepared under the Authority of this Act, in like Manner as if such several Sections had been repeated and re-enacted in this Act.

Money raised to be paid to the Consolidated Fund.

5. All such Sums of Money as shall be raised by Exchequer Bonds to be made out in pursuance of this Act shall be paid to the Account of Her Majesty's Exchequer at the Bank of *England*, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Exchequer Bonds may be delivered to Persons authorized by the Treasury.

6. The Commissioners of Her Majesty's Treasury may direct the Comptroller General of the Exchequer from Time to Time to deliver such Amount of Exchequer Bonds made out in pursuance of this Act as the said Commissioners shall from Time to Time think fit, not exceeding in the whole the Sum of One million Pounds, to such Person or Officer as may be named in any Warrant to be issued by the said Commissioners for such Purpose, and such Person or Officer shall thereafter become chargeable and be charged with such Amount of Exchequer Bonds as may be delivered to him, subject to such Directions as may be issued to him by the said Commissioners for the Sale thereof, and such Person or Officer shall be discharged from all Account in respect of such Exchequer Bonds on proving to the Satisfaction of the Commissioners for auditing the Public Accounts that he has duly obeyed the Directions of the said Commissioners of Her Majesty's Treasury: Provided always, that the said Commissioners shall not be authorized to direct the Issue of such Exchequer Bonds to such Person or Officer except for the Purpose of raising Money to be paid to the Account of Her Majesty's Exchequer at the Bank of *England* as aforesaid.

Bank of England may advance 1,000,000*l.* on the Credit of Bonds, and Commissioners of National Debt may invest Money on account of

7. It shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bonds to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of One million Pounds (anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any subsequent Act, to the contrary thereof in anywise notwithstanding); and also for the Commis-

Exchequer Bonds (£1,000,000).

Savings Banks in Purchase of Bonds.

Commissioners for the Reduction of the National Debt to invest, in the Purchase of Exchequer Bonds issued under the Authority of this Act, any Money in their Hands on account of Savings Banks.

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shall continue to be charged, collected, and paid for and during the Periods respectively specified or mentioned in that Behalf in the said Schedules respectively, and where no Period is specified or limited for the Duration thereof the same shall continue to be charged, collected, and paid respectively until Parliament shall otherwise order; and the said several Schedules shall be deemed to be Part of this Act.

Provisions of former Acts to apply to this Act.

2. All the Powers, Provisions, Clauses, Regulations, Allowances, and Exemptions, Forfeitures, Pains, and Penalties, contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description as the several Rates or Duties granted by this Act respectively, and in force at the Time of the passing of this Act, and not hereby expressly repealed, or, as regards the Income Tax, in force on the Fifth Day of *April* One thousand eight hundred and sixty-five (except as herein-after provided), shall respectively be in full Force and Effect with respect to the said Rates and Duties by this Act granted respectively, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said last-mentioned Rates and Duties respectively, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Rates and Duties by this Act granted respectively: Provided always, that for the Purposes of this Act the Year One thousand eight hundred and sixty-two, mentioned in the Forty-third Section of the Act passed in the Twenty-fifth Year of Her Majesty's Reign, Chapter Twenty-two, shall be read as and deemed to mean the Year One thousand eight hundred and sixty-five.

The Sums assessed to the Income Tax under Schedules (A.) and (B.) for the Year 1864 to be taken as the annual Value for Assessment under this Act.

3. The Sum charged as the annual Value or Amount of any Property, Profits, or Gains in the several and respective Assessments of Income Tax made in pursuance of the Act passed in the Twenty-seventh Year of Her Majesty's Reign, Chapter Eighteen, under Schedules (A.) and (B.) respectively of the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, for the Year ended on the Fifth Day of *April* One thousand eight hundred and sixty-five, shall (except as to Railways and otherwise as provided by the Acts relating to Income Tax) be taken as the annual Value or Amount of such Property, Profits, or Gains

Gains respectively for the Year commencing on the Sixth Day of *April* One thousand eight hundred and sixty-five, and the Duties of Income Tax granted by this Act, and chargeable under the said Schedules respectively, shall be computed, assessed, and charged according to such annual Value or Amount; and the Commissioners executing the Income Tax Acts shall, for each Place within their several and respective Districts, cause Duplicates of the Assessments of the said Duties so computed, assessed, and charged under the said Schedules (A.) and (B.) for the said last-mentioned Year to be made out and delivered together with Warrants for collecting the same; and in *England* the said Commissioners shall appoint such Persons, being Inhabitants of the Place to which the Duplicate shall relate, as they the said Commissioners shall think fit, to be Collectors of the Duties thereby charged, in like Manner as if such Persons had been presented to them by Assessors under the Acts now in force: Provided always, that the said Assessments shall be subject to be increased in like Manner as the Assessments made for the Year ended on the Fifth Day of *April* One thousand eight hundred and sixty-five, and subject also to be abated or discharged at the End of the Year commencing on the Sixth Day of *April* One thousand eight hundred and sixty-five for any Cause allowed by the said Acts; provided that whenever it shall appear that any Property, Profits, or Gains chargeable under the said Schedules (A.) and (B.) respectively have not been charged by the Assessments made for the Year ended on the Fifth Day of *April* One thousand eight hundred and sixty-five, such Property, Profits, and Gains shall be assessed to the Duties of Income Tax granted by this Act under the Provisions of the said several Acts applicable thereto.

Assessors not to be appointed for Duties under Schedules (A.) and (B.)

4. No Assessors shall be appointed for the Duties payable under the said Schedules (A.) and (B.), but the Inspectors or Surveyors of Taxes shall act as Assessors in respect of such Duties whenever it shall be necessary; and in lieu of the Poundage granted by the One hundred and eighty-third Section of the Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, to be divided between the Assessors and Collectors in regard to the Duties which shall be collected under the said Schedules (A.) and (B.), there shall be paid a Poundage of Three Halfpence to the Collectors of the said Duties.

Power to increase Number of Commissioners for General Purposes in certain Cases.

5. Whereas by Section Four of the Act passed in the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, Provision is made for choosing and appointing Persons to be Commissioners for the Execution of the Income Tax Acts in *Great Britain*, and the Number of Persons so to be appointed is limited to Seven Persons appointed

appointed Commissioners for the General Purposes of the said Acts, and Seven to supply Vacancies amongst such Commissioners, in each District or Division, and it is necessary to increase the Number of such Commissioners and Persons respectively in certain Cases: Be it enacted, That whenever it shall appear to the Board of Inland Revenue that the Number of Persons so appointed or to be appointed for any District, Division, or Place in *Great Britain* is insufficient for the proper Discharge of the Business arising under this Act, the Board shall authorize the Increase of the Number of Persons to be chosen Commissioners for General Purposes for such District, Division, or Place to any Number not exceeding Fourteen, and of Persons to supply Vacancies amongst such Commissioners to any Number not exceeding Fourteen, and such Persons shall respectively be appointed and chosen according to the Regulations contained in the said Enactment.

No Reduction to be made unless Profits of the Year are proved less than the Average of last Three Years.

6. And whereas by Section One hundred and thirty-three of the said Act of the Fifth and Sixth Years of Her Majesty's Reign Provision is made for giving Relief, by Reduction of the Assessment, or Repayment of Duty, in certain Cases where the Profits of the Year of Assessment fall short of the Sum on which the Assessment has been made: Be it enacted, That no such Reduction or Repayment shall be made in any such Case unless the Profits of the said Year of Assessment are proved to be less than the Profits for One Year on the Average of the last Three Years, including the said Year of Assessment; nor shall any such Relief extend to any greater Amount than the Difference between the Sum on which the Assessment has been made and such average Profits for One Year as aforesaid.

SCHE-

SCHEDULES.

SCHEDULE (A.)

Containing the Duty of Customs granted by this Act.

In lieu of the Duties of Customs now charged on Tea, the following Duties of Customs shall, on and after the First Day of June One thousand eight hundred and sixty-five until the First Day of August One thousand eight hundred and sixty-six, be charged thereon, on the Importation thereof into Great Britain and Ireland; (that is to say,)

		£	s.	d.
Tea - - - - - - -	the lb.	0	0	6

SCHEDULE (B.)

Containing the Stamp Duties granted by this Act on Fire Insurance.

In lieu of the Duties now payable in respect of Insurances against Loss or Damage by Fire only, there shall be charged, collected, and paid the following Duties; (that is to say,)

For and upon every Policy of Assurance or Insurance, or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall, on or after the Twenty-fifth Day of June One thousand eight hundred and sixty-five, be made of or upon any Building, Goods, Wares, Merchandise, or other Property, from Loss or Damage by Fire only, the Duty of One Penny:

And for and upon any Note or Memorandum given as a Receipt on the Deposit of any Sum of Money preparatory to the making out or issuing of any such Policy as aforesaid, the Duty of One Penny:

And for and in respect of every such Insurance as aforesaid which shall be made, or continued or renewed, on or after the said Twenty-fifth Day of June One thousand eight hundred and sixty-five, a Duty of One Shilling and Sixpence for every One hundred Pounds insured for a Year, and at and after that Rate for any fractional Part of One hundred Pounds insured, and for any fractional Part of a Year, as well as for any Number of Years for which the Insurance shall be made, or continued or renewed; but

but no Fraction of a Penny shall be charged, and when any such Insurance as aforesaid shall be made or renewed at any Time between the Twenty-seventh Day of April One thousand eight hundred and sixty-five and the said Twenty-fifth Day of June for any Period of Time extending beyond the said last-mentioned Day, there shall be charged and paid for and in respect of the Time intervening between the making or renewing of the said Insurance and the said Twenty-fifth Day of June the yearly Percentage Duty at and after the Rate chargeable on the said Twenty-seventh Day of April, and for and in respect of any subsequent Period, including the said Twenty-fifth Day of June, the Rate of Duty chargeable according to this Act, and no Return or Allowance of Duty, except at and after the last-mentioned Rate, shall be made, in respect of Time unexpired or otherwise, on any such Insurance as aforesaid, which shall have been made or renewed before the said Twenty-seventh Day of April One thousand eight hundred and sixty-five.

SCHEDULE (C.)

CONTAINING the Rates and Duties of INCOME TAX granted by this Act.

For One Year commencing on the Sixth Day of April One thousand eight hundred and sixty-five, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties shall be charged; (that is to say,)

For every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Fourpence:

And for and in respect of the Occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B.) of the said Act, for every Twenty Shillings of the annual Value thereof—

In England the Rate or Duty of Twopence:

And in Scotland and Ireland respectively the Rate or Duty of One Penny Halfpenny.

Subject to the Provisions contained in Section Three of the Act Twenty-sixth Victoria, Chapter Twenty-two, for the Exemption of Persons whose whole Income from every Source is under One hundred Pounds a Year, and Relief of those whose Income is under Two hundred Pounds a Year.

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that the said Commissioners should also be empowered to acquire the additional Lands described and shown on the Plans herein-after mentioned; but such Lands cannot be acquired without the Authority of Parliament: And whereas duplicate Plans describing the Situation of the said Lands herein-after referred to as the prescribed Lands, with a Book of Reference thereto containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers thereof, have been deposited with the Clerk of the Peace for the County of *Middlesex*, at his Office at the Sessions House, *Clerkenwell*, and with the Clerk of the *Westminster* District Board of Works, and it is expedient that Powers should be given to the Commissioners of Her Majesty's Works and Public Buildings to purchase such Lands for the Purposes aforesaid: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Deposit of Plans and Books of Reference descriptive of Site.

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Public Offices Act, 1865."

Incorporation of Commissioners.

Incorporation of Commissioners of Works for Purposes of Act.

2. The Commissioners of Her Majesty's Works and Public Buildings for the Time being herein-after referred to as "the Commissioners," as incorporated for the Purposes of the aforesaid Acts, shall be and continue so incorporated for the Purposes of this Act, with Power to hold Lands for the Purposes and subject to the Provisions of this Act.

Acquisition of Site.

Description of Purposes of Act.

3. The Purposes of this Act are the Acquisition of additional Lands for the Site of the Public Offices aforesaid and the Approaches thereto, and the constructing and doing such Works and Things as are conducive to the Attainment of the above Purposes, or any of them or incidental thereto.

Power of Commissioners to purchase Lands.

4. The Commissioners may, out of any Monies placed at their Disposal by Parliament for that Object, purchase, take, and use for the Purposes of this Act all or any of the prescribed Lands.

Commissioners to make good to Parishes of St. Margaret and

5. And whereas by the Forty-eighth Section of the said Public Offices Extension Act, 1859, after reciting that by reason of taking the Lands mentioned in the Schedule to the said Act, and for the Purposes thereof, there might be Deficiencies in the Produce of the Assessments

Assessments for the Relief of the Poor, and making certain Payments directed by Act of Parliament to be made out of the Poor's Rate, as also in the Produce of other Assessments directed to be raised and levied on the Persons, and in respect of the Property by Law rateable to the Relief of the Poor of the Parishes of *Saint Margaret* and *Saint John the Evangelist, Westminster;* and reciting that the Rates of the said Parishes had been mortgaged, and were then charged with and subject to the Repayment of certain Sums amounting in the aggregate to Thirty-five thousand four hundred and three Pounds or thereabouts Principal Money, with Interest thereon, and which Charges it was calculated would be wholly paid off on or before the Twenty-fifth Day of *December* One thousand eight hundred and seventy-three; and that it was expedient that Provision should be made for a Contribution for a limited Time by the said Commissioners in aid of the Poor Rates and other Rates to be raised and levied as therein-before mentioned; it was enacted that the said Commissioners should, from and after the Twenty-ninth Day of *September* One thousand eight hundred and fifty-nine, yearly and every Year until the Twenty-ninth Day of *September* One thousand eight hundred and seventy-three, by and out of such Monies as Parliament might from Time to Time place at their Disposal for that Purpose, pay and make good in manner therein mentioned to the said Parishes such Sum or Sums of Money, not exceeding the Sum of Four hundred Pounds *per Annum*, as should be deficient in respect of the said Rates by reason or means of taking the Land mentioned in the Schedule to the said Act for the Purposes thereof, such Deficiencies to be calculated and ascertained with reference to the Sum of Three hundred and seventy-five Pounds, being the Amount actually collected for and in respect of such Rates made in the Year One thousand eight hundred and fifty-eight in respect of Houses and Buildings which might be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of the said Act of 1859: And by the Forty-ninth Section of the same Act it was provided that the First Payment in respect of such Deficiencies should be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty: And whereas by the said Supplemental Public Offices Extension Act, 1861, it was enacted, that in consideration of the additional Land to be taken under the Powers of that Act the maximum Sum of Four hundred Pounds *per Annum*, payable as in the said Act of 1859 was mentioned for making up such Deficiency as aforesaid, should be increased to a Sum not exceeding Five hundred and twenty Pounds *per Annum*, and the annual Amount with reference to which such Deficiencies

St. John the Evangelist Deficiencies in Rates.

Deficiencies were to be calculated and ascertained as in the said Act of 1859 mentioned, should be the Sum of Four hundred and ninety-eight Pounds in lieu of the Sum of Three hundred and seventy-five Pounds in the said Act of 1859 mentioned; and that the First Payment in respect of the Deficiencies arising by reason of or with reference to the Land comprised in the Act of 1861 now in recital should be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-two: And whereas by the Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one, Parts of the Lands acquired under the Provisions of the Acts mentioned in the Preamble to this Act were transferred to and vested in Her Majesty, Her Heirs and Successors, for the Service of the Government of *India;* and it was thereby enacted, that such Lands when so vested in Her Majesty should be and continue liable to the Payment of Eleven Thirty-fifth Parts of all the Parochial Rates and Taxes to which the Entirety of the Land acquired by the said Commissioners as aforesaid was or should be by Law subject and liable: Now be it enacted, That in consideration of the additional Land to be taken under the Provisions of this Act the maximum Sum of Five hundred and twenty Pounds *per Annum*, payable as in the said Acts of 1859 and 1861 is mentioned for making up such Deficiency as aforesaid, shall be increased to a Sum not exceeding Six hundred and seventy-seven Pounds *per Annum;* and the annual Amount with reference to which such Deficiencies shall be calculated and ascertained as in the said Act of 1859 is mentioned shall be the Sum of Six hundred and fifty-four Pounds in lieu of the Sum of Four hundred and ninety-eight Pounds in the said Act of 1861 mentioned; and the First Payment in respect of the Deficiencies arising by reason of or with reference to the Lands to be taken under the Provisions of this Act shall be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-six: Provided always, that this Extension shall not increase the Sums payable by Her Majesty, Her Heirs or Successors, as aforesaid in respect of the Lands vested in Her by the said Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one.

Power to Commissioners to enter upon Lands.

6. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purpose of surveying or valuing the same.

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

7. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, except

except as hereby expressly varied, be incorporated with this Act; but,

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the "Special Act," and the Commissioners shall be deemed to be "the Promoters of the Undertaking":

(3.) The Term "Sheriff" used in the Provisions of the "Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of *Westminster* or his Deputy:

(4.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

8. Upon the Purchase by the Commissioners of the prescribed Lands or any Part thereof (save as herein-after provided), all Rights of Way, Rights of laying down or of continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Land or Part thereof, shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest in the Commissioners, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said Lands Clauses Consolidation Act, 1845.

As to Claims for Compensation by yearly Tenants.

9. All Claims for Compensation made upon the Commissioners under the Provisions of this Act, or any Act incorporated herewith, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be

 determined

determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

10. The Limit for the compulsory Purchase of Lands under this Act shall be Five Years.

Powers to Commissioners to execute Works.

11. The Commissioners may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works, and do all such other Things as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act, or any of them.

As to Rights of Metropolitan Board of Works.

12. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Buildings exempt from 18 & 19 Vict. c. 122.

13. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Miscellaneous.

No Purchase to be made without the Authority of the Treasury.

14. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any Vendor or any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet.

Authentication of Notices.

15. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners.

Land purchased vested for the Public Service, subject to Provisions of 15 & 16 Vict. c. 28.

16. All Land purchased by the Commissioners under the Authority of this Act shall be vested in them for the Public Service, and shall be subject to the Provisions of the Act of the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act.

Contracts made by First Com-

17. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of

of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid, and shall be binding on the Commissioners, as if the same had been under their Corporate Seal.

missioner of Works to be valid.

18. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General, or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt unstamped shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Monies payable to the Commissioners to be paid to Her Majesty's Paymaster General.

19. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of *England* with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court upon Application to him while sitting at Chambers upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Orders concerning Money paid into Court may be made at Chambers.

20. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Powers vested in them under this Act, he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Penalty for obstructing Commissioners.

21. No Deed, Bond, or other Instrument made by, to, or with the Commissioners for any of the Purposes of this Act shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds not liable to Stamp Duty.

22. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to the Commissioners for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of

Deeds to be enrolled in Court of Exchequer.

of Exchequer and entered in the Books of the said Commissioners, and every such Conveyance, Assignment, or other Deed or Instrument when so enrolled shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Plan to be deposited in the Office of Works, and to be open for Inspection.

23. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have liberty to inspect the same.

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Clerkenwell, and it is expedient that Powers should be given to the Secretary of State in Council of *India* to purchase the prescribed Lands and to appropriate the same for the Purposes aforesaid: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *India* Office Site and Approaches Act, 1865."

Power to Secretary of State in Council to purchase Lands.

2. The Secretary of State in Council of *India* for the Time being, herein-after referred to as "The Secretary of State in Council," may purchase all or any of the prescribed Lands, and appropriate the same as additional Site for the Offices of the Department of the Secretary of State in Council, and for convenient Accesses and Approaches thereto, and carry the Purposes of this Act into execution.

Lands purchased to vest in Her Majesty, &c.

3. All Lands purchased by the Secretary of State in Council in pursuance of this Act shall be conveyed to the Secretary of State in Council in trust for Her Majesty, Her Heirs and Successors, and shall thereupon vest in Her Majesty, Her Heirs and Successors, for the Service of the Government of *India*, according to the Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six.

Lands to continue subject to Land Tax and Rates.

4. All Lands purchased by the Secretary of State in Council in pursuance of this Act, and hereafter used and occupied exclusively as Offices and for the Purposes of this Act, which were at the Time of such Purchase subject to Land Tax or to Poor or other Rates, shall continue liable thereto, but they shall not be assessed to any Tax or Rate at a higher Value than that at which they were assessed at the Time of the Purchase thereof, so long as they shall be so used and occupied as aforesaid.

Power to enter on Lands.

5. The Secretary of State in Council, his Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purpose of surveying or valuing the same.

9 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

6. "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and Additions and subject to the Provisions herein-after contained; (that is to say,)

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; (that is to say,) Section Sixteen, whereby it is provided that the Capital is to be subscribed

subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be "the Special Act," and the said incorporated Acts shall be read as if the Expression "the Promoters of the Undertaking" were in the Singular Number, and the Secretary of State in Council shall be deemed and taken to be the Promoter of the Undertaking:

(3.) The Term "Sheriff" used in the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of *Westminster* or his Deputy:

(4.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Hand and Seal of the Secretary of State in Council, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

7. Upon the Purchase by the Secretary of State in Council of the prescribed Lands or any Part thereof, save as herein-after provided in Section Eleven of this Act, all Rights of Way, Rights of laying down or continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Lands or Part thereof, shall be extinguished, and all the Soil of such Ways and the Property in the Pipes, Sewers, or Drains shall vest in Her Majesty, Her Heirs and Successors, for the Service of the Government of *India*, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Secretary of State in Council such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by "The Lands Clauses Consolidation Act, 1845."

Compensation in case of Tenants at Will, &c.

8. All Claims for Compensation made upon the Secretary of State in Council under the Provisions of this Act, or any Act incorporated herewith, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Powers for compulsory Purchases limited.

9. The Period within which the Powers for the compulsory Purchase of Lands under this Act may be exercised shall be Five Years from the passing of this Act.

Powers to Secretary of State in

10. The Secretary of State in Council may pull down and remove any Buildings on the prescribed Lands, and may construct thereon

Council to execute Works.

thereon such Buildings and Works, and do all such other Things as may in his Opinion be necessary or expedient in order to carry the Purposes of this Act into execution.

As to Rights of Metropolitan Board of Works.

11. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Exemption from Building Act.

12. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Authentication of Notices.

13. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Secretary of State in Council may be given, issued, or signed by the Principal Secretary of State for *India* for the Time being, or One of his Under Secretaries of State, or the Solicitor for the Time being of the Secretary of State in Council, and need not be under Seal, and may be in Writing or in Print, or partly in Writing and partly in Print.

Orders concerning Money paid into Court may be made at Chambers.

14. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of *England* with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, may be made by any Judge of the said Court upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had; subject, nevertheless, to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing the Secretary of State in Council.

15. If any Person wilfully obstruct any Person acting under the Authority of the Secretary of State in Council in the lawful Exercise of the Powers vested in the Secretary of State in Council under this Act, he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Plan to be deposited in India Office and to be open for Inspection.

16. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Secretary of State in Council, and shall remain at the said Office, to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

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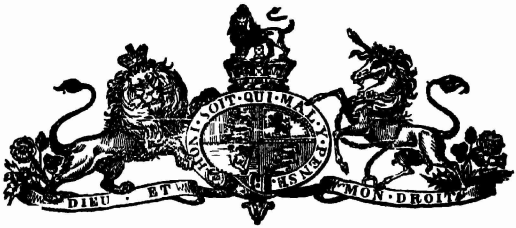

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXXIII.

An Act to repeal the Act of the Parliament of *Ireland*, of the Sixth Year of *Anne*, Chapter Eleven, for explaining and amending the several Acts against Tories, Robbers, and Rapparees.

[2d *June* 1865.]

WHEREAS it is expedient to repeal the Laws now in force under which poor People in *Ireland* are sentenced to Penal Servitude for the Offence of Vagrancy: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The *Irish* Act of the Sixth Year of Queen *Anne*, Chapter Eleven, for explaining and amending Two several Acts against Tories, Robbers, and Rapparees, and so much of any Act or Acts as revives or makes perpetual the same, are hereby repealed. 6 Anne, c 11. (I.), &c. repealed.

2. From and after the passing of this Act, it shall not be lawful for any Grand Jury to present any Person in *Ireland* as a Vagrant, any Statute to the contrary notwithstanding. Grand Juries not to present Persons as Vagrants.

 3. This

Short Title.

3. This Act to be called "The Vagrancy, *Ireland*, Amendment Act (1865)."

Sect. 7. of 50 G. 3. c. 102. repealed

4. The Seventh Section of the Act of the Fiftieth *George* the Third, Chapter One hundred and two, is hereby repealed.

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CAP. XXXIV.

An Act to make the Metropolitan Houseless Poor Act perpetual. [2d *June* 1865.]

WHEREAS it is expedient that the Provisions of "The Metropolitan Houseless Poor Act, 1864," should be made perpetual: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 27 & 28 Vict. c. 116.

1. That the Provisions of the said Act shall be extended to the Expenditure for Relief of destitute Wayfarers, Wanderers, and Foundlings, or other destitute Persons, in the several Unions and Parishes referred to in the said Act, relieved and to be relieved from and after *Lady Day* One thousand eight hundred and sixty-five; and the Sixth Section of the said Act is hereby repealed. Provisions of recited Act extended to Relief after Lady Day 1865. Sect. 6. repealed.

2. The Poor Law Board shall from Time to Time cause the Wards and other Places of Reception provided according to the said Act to be inspected not less than once in every Four Months between the Hours of Six o'Clock in the Evening and Eight in the Morning in the Months between *October* and *March* inclusive, and between Poor Law Board to have Wards inspected, and may revoke and renew Certificate.

between the Hours of Eight o'Clock in the Evening and Eight in the Morning in the Months between *April* and *September* inclusive; and the Results of such Inspections shall be reported to the Poor Law Board, who may at any Time revoke and renew the Certificates granted or to be granted under the First Section of that Act.

Allowance may be made for providing Wards.

3. The said Board may allow for the Costs and Expenses referred to in the Fourth Section of that Act, when they shall see fit to do so, a Sum or several Sums in gross instead of a Sum in respect of each Pauper as therein provided.

Power to Police to provide for temporary Relief.

4. Any Constable of the Metropolitan Police or of the Police of the City of *London* may personally conduct any destitute Wayfarer, Wanderer, or Foundling, or other destitute Person, not having committed or being charged with any Offence punishable by Law, within the Knowledge of such Constable, to any Wards or other Places of Reception approved of by the Poor Law Board under the said Act or this Act; and every such Wayfarer, Wanderer, or Foundling shall, if there be Room in such Wards or other Places of Reception, be temporarily relieved therein.

Hours during which Wards shall be open for Admission.

5. The Wards or Places of Reception provided under the said Act shall be open for the Admission of destitute Wayfarers, Wanderers, and Foundlings, or other destitute Persons, who shall apply to be admitted during the Hours between Six o'Clock in the Evening and Eight in the Morning in the Months between *October* and *March* inclusive, and during the Hours between Eight o'Clock in the Evening and Eight o'Clock in the Morning in the Months between *April* and *September* inclusive, and the Guardians shall be entitled to be reimbursed for all Relief administered in conformity with the Provisions of that Act during those Hours respectively.

Short Title.

6. This Act may be cited for all Purposes as "The Metropolitan Houseless Poor Act, 1865."

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

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VICTORIÆ REGINÆ.

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CAP. XXXV.

An Act to amend the Law relating to the Police Superannuation Funds in Counties and Boroughs.

[2d *June* 1865.]

WHEREAS it is expedient to amend the Law relating to Police Superannuation Funds in Counties and Boroughs: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Police Superannuation Act, 1865." Short Title.

2. Throughout this Act the Acts herein-after mentioned shall be distinguished by the following Short Titles; that is to say, Short Titles of certain Police Acts.

The Act of the Session of the Third and Fourth Years of the Reign of Her present Majesty, Chapter Eighty-eight, intituled *An Act to amend the Act for the Establishment of County and District Constables*, by the Short Title of "The Police Act, 1840:" 3 & 4 Vict c. 88.

19 & 20 Vict. c. 69. The Act of the Session of the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter Sixty-nine, intituled *An Act to render more effectual the Police in Counties and Boroughs in* England *and* Wales, by the Short Title of "The Police Act, 1856:"

22 & 23 Vict. c. 32. The Act of the Session of the Twenty-second and Twenty-third Years of the Reign of Her present Majesty, Chapter Thirty-two, intituled *An Act to amend the Law concerning the Police in Counties and Boroughs in* England *and* Wales, by the Short Title of "The Police Act, 1859."

Amendment of Sect. 11, of 3 & 4 Vict. c. 88., Sect. 10. of 19 & 20 Vict. c. 69., and Sects. 9 & 10 of 22 & 23 Vict. c. 32.

3. Whereas by "The Police Act, 1840," and "The Police Act, 1856," the Justices of the County in General or Quarter Sessions assembled, and by "The Police Act, 1859," the Watch Committee of a Borough, with the Approbation of the Council, are authorized, subject to the Conditions and in the Events in the said Acts respectively mentioned, to grant out of the Police Superannuation Funds to Constables of the Police Forces of Counties and Boroughs who have served Fifteen Years Superannuation or Retiring Allowances, and to Constables who may not have served Fifteen Years Sums in gross as Gratuities: And whereas it is expedient that in some Cases annual Allowances for a limited Time should be granted in lieu of Allowances for Life or Gratuities: Be it enacted, That where the said Acts authorize a Grant to be made to a Constable of a Superannuation or Retiring Allowance or a Gratuity, the Authority having Power to grant such Allowance or Gratuity may, in lieu thereof, grant an annual Allowance for a limited Time, to be fixed by such Authority, and to be determined on the Death of the Annuitant before the Expiration of the Time fixed: Provided that where an Allowance for a limited Time is granted to a Constable who has served for Fifteen Years or more, it shall be granted on the same Scale as if it were a permanent Superannuation or Retiring Allowance, and if at the Expiration of the limited Time the Annuitant is incapable from Infirmity of Mind or Body of discharging the Duties of a Constable, or has attained the Age of Sixty Years, the Allowance granted to him for a limited Time only shall be continued during the Remainder of his Life; Provided also, that where a Person to whom an annual Allowance for a limited Time has been granted under this Section is reappointed to the Office of Constable, the Time during which he was in receipt of such Allowance shall, for the Purpose of any subsequent Superannuation Allowance, be reckoned as Service in the Force.

Head Constable included in

4. Whereas Doubts are entertained whether the Provisions of "The Police Act, 1859," relating to a Superannuation Fund for Constables

Constables belonging to a Police Force in Boroughs, apply to a Chief or Head Constable of the Police Force in such Boroughs, by reason, amongst other things, that the said Act requires in certain Cases the Certificate or Recommendation of the Chief or Head Constable before an Allowance can be made or a Gratuity given out of the said Fund to a Constable or his Widow: And whereas it is expedient to remove the said Doubts: Be it enacted, That the Chief or Head Constable of the Police Force established in any Borough in which the Superannuation Fund is subject to the Regulations of the Police Act, 1859, shall, from and after the Date of the passing of this Act, be deemed to be a Constable of the said Police Force for all Purposes relating to and within the Meaning of this Act and all other Acts regulating such Superannuation Fund; provided, first, that in the Case of the said Chief or Head Constable, or his Widow, a Resolution of the Watch Committee to the Effect of the Certificate or Recommendation required to be given by the Chief or Head Constable under "The Police Act, 1859," shall be deemed to be equivalent to such Certificate or Recommendation; secondly, that the Period of Service during which any Chief or Head Constable, either as such or as an inferior Member of the Force, may have been subjected to Deductions from his Pay towards such Borough Police Superannuation Fund as aforesaid shall, in determining what Allowance or Gratuity is to be made to him, be reckoned and allowed to such Chief or Head Constable; thirdly, that One Half only of the Period of Service (if any) during which such Chief or Head Constable, either as such or as an inferior Member of the Force, has been subjected to no such Deduction as aforesaid from his Pay towards such Superannuation Fund as aforesaid shall be reckoned and allowed to such Chief or Head Constable in determining what Allowance or Gratuity is to be made to him; fourthly, that where such Chief or Head Constable has been promoted from another Police Force, whether County or Borough, to the Borough Force out of the Fund of which he claims Superannuation, in such a Case, if he has served not less than Seven Years either as Chief, Head, or other Constable in such other Force, his Service in such other Force to the Extent of One Half thereof shall be deemed, for the Purposes of Superannuation, to be Service in the latter Force, and be reckoned accordingly, subject to the Conditions on which Service in the latter Force may be reckoned under this Section; and subject also to the Qualification that if at the Time when he was promoted from the other Force he was under the Rank of Chief or Head Constable, no Part of his Service in such other Force shall be reckoned unless his Promotion took place on the Recommendation of the Chief or Head Constable of the Force from which he was promoted.

Provisions of 22 & 23 Vict. c. 32.

5. Nothing

Police Superannuation.

Nothing to prevent Dismissals without Retiring Allowances.

Proviso.

5. Nothing in this Act contained shall be construed to entitle absolutely any Chief or Head Constable or other Constable, or his Widow, to any Superannuation or Retiring Allowance or Gratuity, or to prevent any such Constable being dismissed without such Allowance or Gratuity: Provided also, that nothing in this Act contained shall diminish or prejudice the Allowances or Rights of any Chief or Head Constable or other Constable given or reserved by the Fifteenth Section of "The Police Act, 1859."

Parts of Lincolnshire to be One County for Purposes of Service in Police so long as County continues under One Chief Constable.

6. Whereas the County of *Lincoln* is divided into Three Divisions, called respectively the Parts of *Lindsey*, the Parts of *Kesteven*, and the Parts of *Holland*, and each of the said Divisions has a separate Commission of the Peace: And whereas by the Twenty-second Section of the said "Police Act, 1859," it is enacted, that after the passing of that Act the Superannuation Fund of the said County shall be One common Account so long as the Police Force for the said County of *Lincoln* shall be under the Direction of One Chief Constable for the Three Divisions, but if the said Force shall thereafter be separated under different Chief Constables, in that Case it shall be lawful to divide the said Superannuation Fund in proportion to the Number of Men for each Division of the said County of *Lincoln* at that Time serving in the said Force, the said Superannuation Fund to be under the Management of the joint Committee for the Three Divisions, and invested by them from Time to Time: And whereas notwithstanding the said Enactment the said Three Divisions are considered as separate Counties, so far as respects the Service of the Police therein, and any Constable of the *Lincolnshire* Police Force, if removed from one of the said Divisions to the other, is not, for the Purpose of Superannuation, entitled to reckon the Time during which he has served as Constable in the Division from which he is removed: And whereas it is expedient to amend the Law so far as relates to the Service of Constables of the said Force: Be it enacted, That so long as the Police Force of the County of *Lincoln* continues under the Superintendence of the same Chief Constable, the said Three Divisions of the said County shall, for the Purpose of the Superannuation of the Members of that Force, be taken to be One County, and any Police Constable who may be or has been promoted or removed from one of the said Divisions to another shall, for the Purposes of Superannuation, be entitled to reckon as Service the whole Time he has served in any of the said Divisions; and this Section shall take effect in all respects as if it had been passed at the same Time at which the said "Police Act, 1859," was passed.

7. Whereas

Police Superannuation.

7. Whereas no Provisions are contained in the said "Police Act, 1859," as to the Mode of appointing the joint Committee mentioned in the said Twenty-second Section: Be it enacted, That the said joint Committee shall consist of Twenty-eight Magistrates, to be appointed from Time to Time by the Courts of Quarter Sessions of the Peace of the said Three Divisions respectively, when and so often as the said Courts of Quarter Sessions think fit, in the Proportions following; that is to say, Fourteen Magistrates for the Parts of *Lindsey*, Eight Magistrates for the Parts of *Kesteven*, and Six Magistrates for the Parts of *Holland;* and Three Members of such joint Committee shall constitute a Quorum, and be competent to act; and it shall be lawful for the said joint Committee from Time to Time to make, and afterwards to alter, such Regulations for their Proceedings, and for the Investment, Management, and Administration of the said joint Fund, and for the granting and Payment of Pensions and Gratuities thereout, as to them may seem just and reasonable; which Regulations, as also any Alteration thereof, when approved by the respective Quarter Sessions of the Peace of the said Three Parts or Divisions, shall be binding and conclusive upon all Parties.

Appointment of joint Committee.

If the Court of Quarter Sessions for any One or more of the said Divisions at any Time neglect or refuse to appoint Magistrates to act upon the said joint Committee, the Magistrates appointed by the Court or Courts of Quarter Sessions of the other or others of the said Divisions shall be fully competent to act as such Committee.

8. If at any Time hereafter the Police Force for the County of *Lincoln* ceases to be under the Direction of One Chief Constable for the Three Divisions of that County, the Common Superannuation Fund shall be divided amongst the Three Divisions of the County in proportion to the Number of Police serving in each Division, but notwithstanding such Apportionment any Pension that may have been granted out of the said Fund shall continue to be paid to the Persons to whom the same may have been granted, and shall be apportioned and charged upon the Superannuation Fund of such of the said Divisions as the said joint Committee may by Writing signed by the Chairman of the said Committee direct, provided that such Appointment is confirmed by the Justices of the Peace of the said Three Divisions respectively in Quarter Sessions assembled.

Consequences of Police Force in County of Lincoln ceasing to be under One Chief Constable.

Any such Apportionment as aforesaid, when confirmed and approved in manner aforesaid, shall be filed amongst the Records of the Quarter Sessions of the said Three Divisions respectively.

9. Whereas the Watchmen acting under an Act of Parliament passed in the Sixth Year of the Reign of His late Majesty King

As to Superannuation of Constables

formerly Watchmen of Brighton under 6 G. 4 c. clxxix

George the Fourth, intituled *An Act for the better regulating, paving, improving, and managing the Town of* Brighthelmston *in the County of* Sussex, *and the Poor thereof*, contributed from their weekly Wages to form a Fund in the Nature of a Police Superannuation Fund: And whereas at the Time of the Incorporation by Charter of the said Town, under the Title of the Borough of *Brighton*, the Watchmen then in Office were appointed Constables of the Police Force of the said Borough: And whereas by the Twenty-third Section of "The Police Act, 1859," the said Superannuation Fund was transferred to the Treasurer of the Borough to be held as Part of the Police Superannuation Fund of the said Borough, but no Provision was made in the Case of such of the said Watchmen as had become Constables for reckoning their Services as Watchmen in determining the Amount of Superannuation Allowance to be granted to them as Constables: Be it enacted, That where a Constable of the said Borough of *Brighton* has also been a Watchman acting under the said Act of the Sixth Year of King *George* the Fourth, the Period of Service as a Watchman, during which he was subject to Deductions from his Pay towards the said Superannuation Fund so transferred as aforesaid to the Treasurer of the said Borough, shall, in determining what Superannuation Allowance may be granted to him, be added to the Period of Service during which he may have served as a Constable in the said Police Force.

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VICTORIÆ REGINÆ.

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Clerk of Peace to deliver Precept to Overseers of Poor on or before 10th June in every Year.

2. The Clerk of the Peace shall, on or before the Tenth Day of *June* in every Year, make and cause to be delivered to the Overseers of the Poor of every Parish and Township within his County his Precept according to the Form No. 1. in Schedule (A.) to this Act, instead of the Precept numbered 1. in Schedule (A.) to the Principal Act, together with the Forms of Notices, List, and Copies of Register in the Principal Act mentioned.

Overseers to publish Register.

3. The Clerk of the Peace of every County shall, together with the Precept, transmit to the Overseers of every Parish or Township within such County a sufficient Number of Copies of the Part or Parts of the Register relating to such Parish or Township; and the Overseers of the Poor of every Parish and Township shall, on or before the Twentieth Day of *June* in every Year, and at the same Time with the Publication of the Notice mentioned in the Fourth Section of the Principal Act, publish a Copy of the Register then in force relating to their Parish or Township, and shall remove the same after a Period including Two *Sundays* at least, and not later than the Twentieth Day of *July*.

20th August last Day for giving Notices of Objection.

4. The Twentieth Day of *August* shall be the last Day for giving Notices of Objection to the Overseers and to the Person objected to; and the Seventh Section of the Principal Act shall be read as if the Word "Twentieth" had been substituted therein for the Word "Twenty-fifth."

1st September last Day for Delivery of Papers to Clerk of Peace.

5. The First Day of *September* shall be the last Day for the Delivery, by the Overseers, to the Clerk of the Peace, of the Papers mentioned in the Ninth Section of the Principal Act; and such Section shall be read as if the Words "First Day of *September*" had been substituted therein for the Words "Twenty-ninth Day of *August*."

Grounds of Objection to be specified in Notice.

6. Any Notice of Objection to any Person on the List of Claimants for any Parish or Township may be given according to the Provisions of the Seventh Section of the Principal Act, but with that Exception no Notice of Objection given under the Provisions of the said Seventh Section, other than a Notice to the Overseers, shall be valid, unless the Ground or Grounds of Objection be specifically stated therein; and this Provision shall be deemed to be sufficiently satisfied by naming the Column or Columns of the List on which the Objector grounds his Objection: Provided always, that if the Objection be grounded on the Third Column, then it shall be necessary to state in the Notice whether the Objection relates to the Nature of the Voter's Interest in the qualifying Property,

perty, or to the Value of the qualifying Property, or to both; and each of such last-mentioned Grounds of Objection shall be deemed a separate Ground of Objection, as well as any Objection grounded on any one of the other Columns; and such last-mentioned Notice may be according to the Form numbered 2. in Schedule (A.) to this Act, or to the like Effect, in substitution for the Form numbered 5. in Schedule (A.) to the Principal Act.

Person objected to only required to give Evidence in support of his Right to vote, &c.

7. No Person objected to under the Provisions of this Act shall be required to give Evidence before the Revising Barrister in support of his Right to be registered, otherwise than as such Right shall be called in question in such Ground or Grounds of Objection.

Each Ground of Objection to be treated by Revising Barrister as a separate Objection.

8. Every separate Ground of Objection shall be treated by the Revising Barrister as a separate Objection; and for every Ground of Objection which, in the Opinion of the Revising Barrister, shall have been groundlessly or frivolously and vexatiously stated in a Notice of Objection, he shall, on the Application of the Person objected to, or any one on his Behalf, and upon Production of the Notice of Objection, award Costs against the Objector to the Amount at least of Two Shillings and Sixpence, and this though the Name of the Person objected to be expunged upon some other Ground of Objection stated in the same Notice of Objection.

Sect. 100. of Principal Act to apply to Objections.

9. The Provisions of the Hundredth Section of the Principal Act shall apply to Notices of Objection given under the Provisions of this Act.

Persons changing their Place of Abode, and Persons objected to, may make Declarations.

10. Any Person whose Name appears on the List of Voters then in force, and whose then Place of Abode is not correctly stated in the said List, or who shall have received a Notice of Objection grounded on the Second Column of the List, and who shall have possessed on the last Day of *July* the same Qualification in respect of which his Name has been inserted on the List, may, if he think fit, make and subscribe a Declaration before any Justice of the Peace, or any Commissioner or other Person authorized to administer Oaths in any of Her Majesty's Superior Courts at *Westminster*, in the Form contained in Schedule (B.) to this Act, or to the like Effect; and all such Declarations shall be duly dated, and shall, on or before the Fourteenth Day of *September*, be transmitted to the Clerk of the Peace; and it shall be the Duty of the Clerk of the Peace to endorse on every such Declaration the Name of the Polling District, and of the Parish or Township in which the Qualification to which the Declaration relates

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is situate, and the Name of the Person making the Declaration, and also the Date on which he has received the same, and to affix his Initials to such last-mentioned Endorsement, and to deliver all such Declarations to the Revising Barrister at his First Court, arranged under the Heads of the several Polling Districts according to the alphabetical Order of the Parishes and Townships; and every Revising Barrister shall, for the Purpose of correcting the Statement in the List of the Place of Abode of such Person, receive any such Declaration as Evidence, to be used in Court at the proper Time, if transmitted to the Clerk of the Peace on or before such last-mentioned Day, of which the Endorsement in that Behalf by the Clerk of the Peace shall be *primâ facie* Proof, and if purporting to be subscribed before a Justice of the Peace, or Commissioner, or other Person authorized as aforesaid, without Proof of the Signature of the Person subscribing the same, or of the Justice, Commissioner, or Person before whom the same purports to have been subscribed, unless he shall have good Reason to doubt the Genuineness of any Signature thereto; and all such Declarations may be perused by any Person at the Office of the Clerk of the Peace, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, before the Twentieth Day of *September;* and the Clerk of the Peace shall deliver Copies of any such Declaration to all Persons applying for the same, on Payment of the Price of Fourpence *per* Folio of Seventy-two Words.

Penalty for falsely signing such Declaration.

11. Any Person falsely or fraudulently signing any such Declaration in the Name of any other Person, whether such Person shall be living or dead, and every Person transmitting as genuine any false or falsified Declaration, knowing the same to be false or falsified, and any Person knowingly and wilfully making any false Statement of Fact in such Declaration, shall be guilty of a Misdemeanor, and punishable by Fine or Imprisonment for a Term not exceeding One Year, and the Revising Barrister shall have Power to impound any such Declaration.

As to Time for Revision of County Lists.

12. No Court shall be holden by a Revising Barrister for the Revision of the Lists of any County before the Twentieth Day of *September* in any Year.

Orders for Costs.

13. Every Order for Costs by a Revising Barrister, whether revising the Lists of a County, City, or Borough, in the Case of any Objection, shall be made before his proceeding to hear any Objection stated in any other Notice of Objection, and such Order may

may be delivered either to the Person to whom the Costs shall therein be ordered to be paid, or to some other Person on his Behalf: Provided always, that this Section shall not be taken to repeal the last Proviso contained in the Forty-sixth of the Principal Act.

14. The Sum ordered to be paid by way of Costs shall not upon any One Vote exceed the Sum of Five Pounds, and the Forty-sixth Section of the Principal Act shall be read as if the Words "Five Pounds" had been substituted therein for the Words "Twenty Shillings."

Such Costs in no Case to exceed 5*l.*

15. It shall be the Duty of every Revising Barrister, whether revising the Lists of a County, City, or Borough, before signing any Page of any List, as required by the Forty-first Section of the Principal Act, to read out audibly in open Court the Names expunged and inserted by him therein, and all Corrections and Insertions made by him.

Revising Barrister to read out Names expunged and inserted.

16. It shall be lawful for any Revising Barrister, whether revising the Lists of a County, City, or Borough, to order any Person to be removed from his Court who shall interrupt the Business of the Court, or refuse to obey his lawful Orders in respect of the same; and it shall be the Duty of the Chief Constable, Commissioner, or Chief Officer of Police of the County, City, Borough, or Place in which the Court is held, to take care that an Officer of Police do attend that Court during its Sitting, for the Purpose of keeping Order therein, and to carry into effect any Order of the Revising Barrister as aforesaid.

Power to remove Persons from Court who interrupt Proceedings.

17. For the Purposes of this Act the Word "Value" shall in the Case of an Objection to any Person claiming to be retained or inserted in the List as an occupying Tenant mean "Amount of Rental."

Interpretation of Terms.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

No. 1.

PRECEPT of the CLERK of the PEACE to the OVERSEERS.

County of } To the Overseers of the Poor of the Parish of
to wit. } [*or* of the Township of

IN pursuance of the Provisions of the Acts of Parliament in that Behalf, I require your Attention to the following

INSTRUCTIONS.

On or before the Twentieth Day of June you are to publish One of the Copies of the Register for your Parish [*or* Township] herewith sent, together with a Notice, signed by you, according to the Form marked No. 2., among the printed Forms herewith sent.

The Manner in which you are required to publish that Register and Notice is as follows; (that is to say,) you are to fix One of the printed Copies (each Copy being first signed by you) on or near the Outside of the outer Door or of the outer Wall near the Door of every Church and public Chapel in your Parish or Township, including Chapels which do not belong to the Established Church, or if there should be no such Church or Chapel, then in some public or conspicuous Situation in your Parish [*or* Township], and it must remain there during a Period including Two Sundays at least, and not later than the Twentieth Day of July.

On or before the last Day of July you are to make out an alphabetical List of all Persons who, on or before the Twentieth Day of July, shall have delivered or sent to you their Claims as Voters for the County [Riding, *&c.*] in which your Parish [*or* Township] lies, in respect of any Property situate wholly or in part within your parish [*or* Township]; and in making out such List you are to write or cause to be written, in the proper Column of the printed Form of List (herewith sent) numbered 3., the Christian Name and Surname of every such Person, with the Place of his Abode, the Nature of his Qualification, and the local or other Description of the Property, and the Name of the Occupier, accordingly as the same shall be stated in the Claim. If you have reasonable Cause to believe that any Person so claiming, or any Person whose Name shall appear in the Copy of the Register for your Parish [*or* Township] herewith sent, is not entitled to have his Name on the new Register about to be made, you are to add the Word "Objected" before his Name in the Margin of the Copy of the Register or List in which his Name appears; and you are also to add the Word "Dead" before the Name of any Person whom you shall have reasonable Cause to believe to be dead. Having done this, you are to sign the List of Claimants, and also One of the Copies of the Register herewith sent, and to cause a sufficient Number of Copies of such Lists to be written or printed, and then, on or before the First Day of August, you are to publish the said Register and Lists, with your marginal Additions, on every Church and Chapel

Chapel in your Parish [*or* Township] in the same Manner as before mentioned with regard to the Notice.

You are to keep a Copy of the List of Claimants and of the said Register sent to you, with your marginal Additions thereon, signed by you, and to allow them to be perused by every Person desirous of perusing them, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, during the first Fourteen Days after you have published them, without Payment or Demand of any Fee; and you are also to deliver Copies of the List of Claimants and of the said Register, signed by you, to every Person applying for the same, on Payment of a Price for such Copy after the Rate contained in the Table marked Schedule (D.) No. 1., herewith sent.

You are to make out a List, according to the Form numbered 6. (herewith sent), containing the Name of every Person against whom a Notice of Objection shall have been given to you or any one of you, on or before the Twentieth Day of August; and you are to publish Copies of such Lists on or before the First Day of September on every Church and Chapel in your Parish or Township, in the same Manner as before mentioned with regard to the Notice; and you are to keep a Copy of such List of Persons objected to, to be perused by any Person, without Payment or Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, during the first Fourteen Days of September, both inclusive; and you are to deliver a Copy of such List to any Person requiring the same, on Payment of a Price for such Copy after the Rate contained in the Table marked Schedule (D.) No. 1, herewith sent.

And if you shall find any such Notice, List, Register, or other Document published by you as aforesaid to be destroyed, mutilated, defaced, or removed, you are forthwith to place another to the same Effect in its Place.

On or before the First Day of September you are to deliver to the Clerk of the Peace of the County [Riding, *&c.*] wherein your Parish [*or* Township] is situate, the List of Claimants, the Copy of the Part of the Register (herewith sent), and also a Copy of the List of Persons objected to, signed by you.

You are to attend the Court to be holden by the Barrister appointed to revise the Lists relating to your Parish [*or* Township], of the Time and Place of holding which Notice will be sent to you; and you are there to deliver to the Barrister holding such Court the original Notices of Claim and original Notices of Objection given to you as aforesaid.

Herein if you fail you will be liable to the Penalties in that Case provided.
Given under my Hand, this Day of

Clerk of the Peace for the County of

No. 2.

NOTICE of OBJECTION to be given to Parties already on Register objected to by any Person other than Overseers and to the occupying Tenant of the qualifying Property, where Notice is required to be given to the occupying Tenant.

To Mr. of [*here insert the Name and Place of Abode of the Person objected to as described in the List, and*

and in the Case of Notice to the Tenant of the qualifying Property insert his Name and Place of Abode as described in the List].

Take Notice that I object to your Name [*in the Notice to the Tenant instead of the Words* "your Name," *insert the Name of the Person objected to*] being retained in the [*here insert the Name of the Parish*] List of Voters for the County of [*or* for the Riding, *&c.*]

And I ground my Objection,

on the 1st Column of the Register,

or on the 2nd Column,

or on the 3rd Column,

and the Objection relates

to the Nature of your Interest [*in the Notice to the Tenant instead of the Words* "your Interest," *insert* "the Interest of" *here insert the Name of the Person objected to,*] in the qualifying Property;

or to the Value of the qualifying Property;

or on the 4th Column.

Dated this Day of One thousand eight hundred and

Signed *A.B.* of [*Place of Abode*],

on the Register of Voters for the Parish of

SCHEDULE (B.)

FORM of DECLARATION by Voter as to his Place of Abode.

I *A.B.* of [*Place of Abode*], on the List of Voters for the Parish [*or* Township] of in the County [*or* Riding *or* Division of the County] of , do solemnly and sincerely declare, That I possessed on the last Day of July now last past the same Qualification in respect of which my Name has been inserted in such List, and that my true Place of Abode is now

(Signed) *A.B.*

Place of Abode.

Made and subscribed before me the Day of in the Year

C.D.

[*Signature of Justice, &c.*]

[*Statement of his Quality, as Justice, &c.*]

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXXVII.

An Act to make better Provision respecting the Transaction of County Business and the Administration of Justice at Quarter Sessions in the County of *Sussex*; and to confirm certain Proceedings of the Justices of the said County.

[2d *June* 1865.]

WHEREAS, although there is only One Commission of the Peace for the whole County of *Sussex*, the County has for Convenience been long treated as divided for the Purposes of the Transaction of the public Business of the County and the Administration of Justice at Quarter Sessions into the Eastern Division and the Western Division; and it is expedient that legal Validity be given to such Division for those Purposes, both as to the past and as to the future:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Divisions to be separate Counties for

1. Subject to the Provisions of this Act, the Eastern Division and the Western Division of the County of *Sussex* shall each be and be deemed

Purposes herein described.

deemed to have been a County of itself in relation to the Matters and Business following, namely,—in relation to the several Matters specified in the First Schedule to this Act, whether arising under or regulated by the several Enactments therein specified, or under or by any other Enactments for the Time being in force,—and in relation to all Matters whatever arising under or regulated by any of the Enactments in the same Schedule specified,—and in relation to all Expenditure required or permitted by any of those Enactments or by any other Enactments for the Time being in force to be made out of County Rates or Rates in the Nature of County Rates,—and in relation to all Business connected with any of the Matters in the present Section mentioned as far as the same relate to either Division separately; and the Justices of the Peace for the County, sitting in Quarter Sessions for the County in each Division thereof, shall have and be deemed to have had the like Powers and Authorities to transact such Business in and for each Division separately, as if each Division was and had been a whole County of itself with a Commission of the Peace for such whole County.

Divisions not to be separate Counties for other Purposes herein described.

2. Nothing in this Act shall make a Division of the County of *Sussex* a County of itself in relation to any of the several Matters specified in the Second Schedule to this Act, whether arising under or regulated by any of the several Enactments therein specified, or under or by any other Enactments for the Time being in force,—or in relation to any Matter whatever arising under or regulated by any of the Enactments in the same Schedule specified,—or in relation to any Expenditure required or permitted by any of those Enactments or by any other Enactments for the Time being in force to be made by Justices of the Peace out of County Rates or Rates in the Nature of County Rates for the Purposes of any Establishment, Matter, or Thing, over the establishing or constituting whereof Justices of the Peace as such have no Authority,—or in relation to any Business connected with any of the Matters in the present Section mentioned.

21 & 22 Vict. c. 33. not to apply to Sussex.

3. Nothing in the Act of the Session of the Twenty-first and Twenty-second Years of Her Majesty's Reign (Chapter Thirty-three), "for the better Management of County Rates," shall apply or be deemed to have applied to the County of *Sussex*.

Divisions to be such for Purposes of future Acts.

4. Where any Enactment, passed after the passing of this Act, has Reference to Divisions of a County, then, subject to the Provisions of this Act, (unless a contrary Intention appears,) the Divisions of the

the County of *Sussex* shall be deemed Divisions within the Meaning of such Enactment, and every such Enactment shall extend and apply to the Divisions of the County of *Sussex* as if they had separate Commissions of the Peace.

Provision as to adjourned Sessions.

5. Every Court held or to be held in either Division of the County of *Sussex*, purporting to be a Court of Quarter Sessions for the County, and begun to be held in that Division within the Time allowed by Law for the holding of Quarter Sessions for the County, but after the Conclusion of the Business of the Court of Quarter Sessions for the County sitting in the other Division, shall for all Purposes be deemed to have been or to be the Court of Quarter Sessions for the County duly continued by Adjournment from the Court of Quarter Sessions for the County which before sat in the other Division, and that whether the Adjournment of the Court from a Place in the one Division to a Place in the other Division was or is actually made or not, or was or is recorded or not.

Precepts for Divisions separately.

6. It shall be and be deemed to have been lawful for Justices of the Peace for the County of *Sussex*, in the Manner heretofore used, to issue their Precept from Time to Time to the Sheriff of the County, to summon Men of the Body of One Division of the County to serve as Jurors at a Court of Quarter Sessions, original or adjourned, to be held in that Division, and to cause such Precept to relate in all respects to One Division only of the County, as if the Division was and had been a County of itself, and for all Sheriffs, Constables, Officers, and Persons to act under a Precept so framed.

Notices of Appeals.

7. With respect to any Notice required to be given by One Party to another relative to any Appeal or other Matter to be heard and determined by the Court of Quarter Sessions of the Peace for the County of *Sussex*, the First Day of Sessions shall be deemed to be the Day on which the Court of Quarter Sessions for the County begins to be held in that Division wherein the Appeal or other Matter is heard and determined.

Special Court of General Sessions.

8. Nothing in this Act shall interfere with the Power of the Justices of the Peace for the County of *Sussex* to hold a Court of General Sessions of the Peace for the County; and a Special Court of General Sessions may be summoned and held as hereafter in this Act provided.

Mode of summoning Special Court.

9. If at any Time Two or more Justices of the Peace for the County of *Sussex* deliver to the Clerk of the Peace for the County or his

his Deputy a Requisition in Writing under their Hands and Seals for the summoning and holding of a Special Court of General Sessions for the County under this Act, stating the Business which they desire to be brought before the Court, and the Time and Place at which the Court is to be held (the Time being not less than Twenty-one Days after the Delivery of the Requisition, and the Place being within the County), the Clerk of the Peace shall, as soon as may be, and within Seven Days after the Delivery to him of the Requisition, publish the same, with a Notice that a Court will be held accordingly, by Advertisement inserted in Two Newspapers usually circulating in the County of *Sussex*.

Quorum and Adjournment of Special Court.

10. A Special Court of General Sessions of the Peace for the County of *Sussex* shall be held in accordance with such Requisition; and Nine Justices shall be a Quorum thereof; and the Court may adjourn from Time to Time and from Place to Place within the County as seems fit.

Authority of Special Court.

11. Such a Special Court of General Sessions shall have Authority to transact the following Business and no other,—namely, any Business specified in the Requisition, provided it is shown to the Court that it relates to or involves a Question with respect to the total Amount, or the Shares chargeable to the Divisions severally, of any Expenditure incurred or to be incurred for a Purpose common to or affecting both Divisions or concerning the whole County at large (including Expenditure in relation to any Establishment, Matter, or Thing for the Purposes of which the Divisions of the County of *Sussex*, under the joint Operation of this Act and of any Act relative to such Establishment, Matter, or Thing, are for the Time being united or authorized to be united as Two Counties of themselves), or with respect to some Matter or Thing preliminary to or consequent on any such Expenditure, and either that a Difference on the Question has arisen between the Justices sitting in Quarter Sessions in the Divisions severally, or that the Question has been referred to the Special Court by the Justices sitting in Quarter Sessions in one of the Divisions.

Orders of Special Court.

12. The Special Court of General Sessions shall not make, assess, or levy any Rate, or make any Order on the Treasurer of either Division of the County of *Sussex*, but the Order of the Special Court in any Business transacted by it shall be binding on the Justices of the Peace sitting in Quarter Sessions in each Division, and shall be carried into effect by those Justices accordingly, as far as the Divisions severally are affected by the Order.

13. It

County of Sussex.

13. It shall be and be deemed to have been lawful for the Justices of the Peace for the County of *Sussex* sitting in Quarter Sessions in the Western Division of the County in the Manner heretofore used to make, assess, and levy separate Rates in the Nature of County Rates on and in the several Rapes in that Division, for Repair and Maintenance of Bridges in the several Rapes, and to appoint separate Treasurers of the several Rapes for the Purposes of those Rates.

Rates for Bridges in Western Division.

14. Nothing in this Act shall affect the Provisions of Section Six of the Act of the Session of the Eighteenth and Nineteenth Years of Her Majesty's Reign (Chapter Fifty-seven) "further to amend "the Laws relating to the Militia in *England*" concerning the Expenses to be paid for the Purposes of the Acts therein mentioned relating to the Militia in the County of *Sussex*, or empower Justices of the Peace for the County of *Sussex* sitting in Quarter Sessions or in Special Court of General Sessions or otherwise to alter those Provisions.

Nothing to affect Sect. 6. of 18 & 19 Vict. c. 57. as to Expenses relating to Militia.

15. It shall be and be deemed to have been lawful for the Justices of the Peace for the County of *Sussex* to provide and maintain out of County Rates for the Militia of the County Two separate Storehouses, with Quarters for the Permanent Staff, and other proper Conveniences and Appurtenances, at separate Places.

Militia Storehouses.

16. Nothing in this Act shall affect the Provisions of the Act (Local and Personal) of the Forty-eighth Year of the Reign of King *George* the Third (Chapter One hundred and seven) "for enabling "the Justices of the Peace for the Eastern Division of the County "of *Sussex* to take down the present Shire Hall or Sessions House "in the Town of *Lewes*, and for enabling them to build another "Shire Hall or Sessions House in a more convenient Situation "within the said Town."

Nothing to affect Provisions of 48 G. 3. c. cvii.

17. Any Action or Proceeding whatever shall not, after the passing of this Act, lie or be maintainable against any Person on account of the doing or omitting at any Time before the passing of this Act of anything the doing or omission whereof is made valid or lawful by this Act; and if any such Action or Proceeding is nevertheless brought or instituted the Court in which the same is brought or instituted or any Judge thereof may, on the Application of the Defendant, make such Order therein for staying Proceedings or such other Order as seems just; but any such Order may be at any Time afterwards discharged or varied as Justice may require.

Proceedings for Acts done may be stayed by Court.

 18. The

Repeal of 27 & 28 Vict. c. 100.

18. The Act of the last Session of Parliament (Chapter One hundred) "to confirm certain Proceedings of the Justices of *Sussex*" is hereby repealed; but this Repeal shall not affect the past Operation of that Act, or any Rate, Order, Act, Matter, or Thing made, done, or regulated under that Act before the passing of this Act.

Short Title.

19. This Act may be cited as The County of *Sussex* Act, 1865.

The

County of Sussex.

The FIRST SCHEDULE.

Matters respecting which Divisions to be deemed separate Counties.

County Treasurers	12 Geo. 2. c. 29.
County Rates	15 & 16 Vict. c. 81.
Constabulary	2 & 3 Vict. c. 93. 3 & 4 Vict. c. 88. 7 & 8 Vict. c. 33. 19 & 20 Vict c. 69. 22 & 23 Vict. c. 32.
Gaols and Houses of Correction	4 Geo. 4. c. 64. 5 Geo. 4. c. 85. 6 Geo 4. c. 40. 7 Geo. 4. c. 18. 5 & 6 Will. 4. c. 38. 5 & 6 Vict. c. 98. 13 & 14 Vict. c. 105. 16 & 17 Vict. c. 43.
Asylums for Pauper Lunatics	16 & 17 Vict. c. 97. 18 & 19 Vict. c. 105. 19 & 20 Vict. c. 87. 25 & 26 Vict. c. 111.
Bridges	12 Geo. 2 c. 29. 14 Geo 2. c. 33. 43 Geo. 3. c. 59. 52 Geo. 3. c. 110. 54 Geo. 3. c. 90. 55 Geo. 3. c. 143. 4 & 5 Vict. c. 49.
Highways	25 & 26 Vict. c. 61. 27 & 28 Vict. c. 101.

The SECOND SCHEDULE.

Matters respecting which Divisions not to be deemed separate Counties.

Militia	17 & 18 Vict. c. 105. 18 & 19 Vict. c. 57. 23 & 24 Vict c. 94.
Coroners Salaries	23 & 24 Vict. c. 116.
Judges Lodgings	7 Geo. 4. c. 63. 2 & 3 Vict. c. 69.

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Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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of such County to be held on the Thirtieth Day of *April* in any Year, or, if that Day be a *Sunday*, on the first lawful Day thereafter, or at any General or Adjourned Meeting of the Commissioners of Supply of such County to be held in the Month of *September* or *October* in any Year, an Alteration of the Day for holding the Annual Statutory Meeting of the Commissioners of Supply of such County, and specifying the Day on which it is proposed that such Meeting should thereafter be held, not being earlier than the First Day of *April*, and not being later than the Twelfth Day of *May*, and requiring the Convener to give Notice of such proposed Alteration.

Notice of Requisition to be given.

3. On the said Requisition being presented to the Convener of such County, he shall cause Notice thereof to be given by Publication of the said Requisition for Three successive Weeks previous to the Meeting at which such Alteration is to be proposed, in at least One Newspaper published in *Edinburgh* and One Newspaper published in the County, or if no Newspaper is published therein, in a Newspaper published in some adjoining County, and by Circular containing a Copy of the said Requisition, and forwarded by Post to each Commissioner of Supply at his last known or usual Address One Month at least previous to such Meeting.

Commissioners of Supply may resolve on Alteration of Day for holding Statutory Meetings.

4. The Commissioners of Supply of such County may, by the Votes of not less than Two Thirds of the Commissioners of Supply who are present at such Meeting, resolve that the Annual Statutory Meeting of the Commissioners of Supply in such County shall cease to be held on the Day on which it is then held, and shall be held on the Day specified in the said Requisition, or on such other Day as they think fit, not being earlier than the First Day of *April*, and not being later than the Twelfth Day of *May*; and the Resolution of such Meeting may be in the Form of the Schedule (B.) to this Act annexed, or as near as may be; and a Copy of the said Resolution, signed by the Convener of the County and the Clerk of Supply, shall, within Ten Days after such Meeting, be recorded in the Sheriff Court Books of the County.

Statutory Meetings to be held on the Day fixed in the Resolution of the Meeting.

5. From and after the passing and recording of the said Resolution, the Annual Statutory Meeting of the Commissioners of Supply of such County shall be held on the Day specified in the said Resolution; and any Meeting of the Commissioners of Supply and Justices of the Peace of such County which may by any Act of Parliament or otherwise be directed or appointed to be held on the same Day as the Annual Statutory Meeting of the Commissioners of

of Supply shall also be held on the Day specified in the said Resolution.

Meetings to be held to be Statutory Meetings.

6. The Meetings to be held on the Day specified in the said Resolution shall in all respects, and for all Purposes whatsoever, be the Annual Statutory Meetings of the Commissioners of Supply, and of the Commissioners of Supply and Justices of the Peace respectively, in and for such County; and all Rates, Taxes, and Assessments which, under the Provisions of any Public or Local Act of Parliament now in force or hereafter to be passed, the Commissioners of Supply or the Commissioners of Supply and Justices of the Peace of such County respectively are required or directed to fix or impose at their Annual Statutory Meetings, shall be fixed and imposed by the Commissioners of Supply or the Commissioners of Supply and Justices of the Peace of such County respectively present at the Annual Meetings to be held on the Day specified in the said Resolution; and all Acts, Matters, and Proceedings which, under the Provisions of any Public or Local Act of Parliament now in force or hereafter to be passed, or otherwise, are required or directed to be done, considered, or determined at any Statutory Meeting of the Commissioners of Supply or of the Commissioners of Supply and Justices of the Peace of such County respectively, may be done, considered, and determined at the Annual Meetings to be held on the Day specified in the said Resolution.

Meeting of Commissioners for Election of a new Convener of a County.

7. Whenever it is necessary to elect a Convener of a County, other than the Person who has hitherto filled that Office, it shall be the Duty of the Clerk of Supply, within One Week of being apprised of a Vacancy, to cause it to be notified by Advertisement and Circular as herein-before provided, and to summon a Meeting of Commissioners of Supply to assemble for such Election within Six Weeks of the Issue of such Notification.

SCHE-

SCHEDULE (A.)

Form of Requisition.

[*Date.*]

We, the undersigned Commissioners of Supply of the County of do hereby, in pursuance of the Provisions of "The Commissioners of Supply Meetings (Scotland) Act, 1865," intimate that at the Meeting of the Commissioners of Supply of the said County to be held at on the Day of next, we intend to propose that the Annual Statutory Meeting of the Commissioners of Supply of the said County shall hereafter be held on Day of April [*or* May], [*or* on the First (Second, Third, *or* Fourth, *as the Case may be*) Tuesday (*or other Day of the Week*) of the Month of April [*or* May]; and we have to request that you will cause Notice of this Requisition to be given in Terms of the said Act.

To the Convener of the County of

SCHEDULE (B.)

Form of Resolution.

The Commissioners of Supply of the County of resolve that the Annual Statutory Meeting of the Commissioners of Supply of the said County shall cease to be held on [*the Day on which it is then held*], and shall be held on the Day of April [*or* May], [*or* on the First (Second, Third, *or* Fourth, *as the Case may be*) Tuesday (*or other Day of the Week*) of the Month of April [*or* May] in each Year hereafter.

LONDON:
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VICTORIÆ REGINÆ.

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Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1865," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure	County.	Date of Provisional Order
Llangeler, Pemboyr, and Kilrhedin	Carmarthen	24th November 1864.
Bradwell	Derby	12th January 1865.
East Knoyle	Wilts	9th February 1865.
Hartley Wintney	Southampton	16th February 1865.
Longsleddale	Westmorland	2d March 1865.
Longville Common	Salop	2d March 1865.
Selston	Nottingham	14th February 1865.
Brockcomb Common	Devon	16th March 1865.
Blagrove Moor	Devon	16th March 1865.
Chipping Wycombe	Buckingham	9th March 1865.
Chidden Down	Southampton	2d March 1865.
Anthill Common	Southampton	2d March 1865.
Brumby Commons	Lincoln	29th March 1865.
Brumby Moors	Lincoln	29th March 1865.
Nuthurst	Sussex	27th April 1865.
Stinchcombe	Gloucester	4th May 1865.
Addingham	York	28th April 1865.
Bootle and Waberthwaite	Cumberland	8th May 1865.
Cefnllys	Radnor	6th May 1865.
Gravenhunger Moss	Salop	27th April 1865.
Roughton	Norfolk	4th May 1865.
Bettws Gwerfil Goch	Merioneth	11th May 1865.

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ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XL.

An Act to extend to the Court of Chancery of the County Palatine of *Lancaster* certain of the Provisions of an Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of Her present Majesty, intituled *An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills.* [19th *June* 1865.]

WHEREAS it is doubtful whether the Provisions contained in the Twenty-seventh Section of the Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of Her present Majesty, intituled *An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills,* apply to Trustees appointed by the Court of Chancery of the County Palatine of *Lancaster:* Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 23 & 24 Vict. c. 145.

 1. That

Lancaster Court of Chancery.

Meaning of "Court of Chancery" in Sect. 7. of recited Act

1. That the Words "the Court of Chancery" in the Twenty-seventh Section of the last-mentioned Act shall be deemed to extend to and include the Court of Chancery of the County Palatine of *Lancaster*.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XLI.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Sheffield*, *Bradford*, and *Gloucester*. [19th *June* 1865.]

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall from and after the passing of this Act be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act, except

as to the *Bradford* Provisional Order that the Local Board for the District of *Bradford* shall not be empowered to put in force with reference to the Lands comprised in the Fourth Part of the Schedule to such Order the Powers of The Lands Clauses Consolidation Act, 1845, with respect to the Purchase and taking of Land otherwise than by Agreement.

Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865, (No. 3)."

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

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SHEFFIELD.—Repealing a Local Act in force within the District of the Sheffield Local Board.

BRADFORD (Yorkshire).—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health otherwise than by Agreement for Street Improvements.

GLOUCESTER.—Repealing and altering Parts of Local Acts in force within the District of the Gloucester Local Board of Health.

SHEFFIELD.

Provisional Order repealing a Local Act in force within the District of the Sheffield Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Sheffield in the County of York, acting as the Local Board for the said District of Sheffield, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the District aforesaid, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the fifty-eighth year of the reign of King George the Third, intituled "An Act for cleansing, lighting, watching, and otherwise "improving the Town of Sheffield in the County of York."

And

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The said Local Act 58 Geo. 3. cap. 54. shall be wholly and entirely repealed; and the exemption from rating conferred by the proviso to the 16th section of the said Act shall cease.

2.—All the property and estate of the Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board.

3.—All debts and liabilities under the said Local Act shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then their debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities.

4.—All expenses under the said Act shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

Given under my hand this Sixth day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

BRADFORD.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Bradford, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Street Improvements.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Bradford in the County of York, acting as the Local Board of Health for that District, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for certain street improvements in the said District, as set forth and described in such Petition.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Bradford aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this First day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order, are the following:—

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	FIRST PART.			
	Comprising the LANDS required for the IMPROVEMENT of TYRREL STREET.			
1	Shop, Workshops, Warehouses, Cellar, Steps in Yard, and Frontage.	Joseph Fearnley Bonnell.	- - - -	Joseph Fearnley Bonnell, John Bowman, John Lupton.
2	Shop, Warehouse, Cellar, Coal-place, Steps, and Frontage.	Thomas Denison, Dyson Denison, and Mary Denison.	- - - -	David Parkinson, Richard Fletcher.
3	Blacksmith's Shop, Shoeing Shop, Warehouses, Dwelling Rooms, Steps, and Frontage.	Ditto - -	- - - -	Samuel Royston and James Procter, Isaac Moses and Montague Moses, Richard Fletcher.
4	Shop, Steps, and Frontage.	Ditto - -	- - - -	Richard Fletcher.
5	Shops, Dwelling-house, Workshops, and Frontage.	Michael Smith - -	- - - -	Christopher Wilkinson.
6	Cottage - - -	Ditto - -	- - - -	Christopher Wilkinson, David Parkinson.
7	Yard, Privy, and Ashpit.	John Ward, Trustee of late Susan Ward, Joseph Fearnley Bonnell, Thomas Denison, Dyson Denison, and Mary Denison, Michael Smith, John Lupton, Trustee of late Susan Ward, John Ward.	- - - -	John Lupton, Richard Fawcett, Joseph Fearnley Bonnell, John Bowman, David Parkinson, Samuel Royston and James Procter, Isaac Moses and Montague Moses, Richard Fletcher, Christopher Wilkinson.
	SECOND PART.			
	Comprising the LANDS required for the IMPROVEMENT of MARKET STREET.			
	(SECTION B.)			
8	Forecourt - -	John Stead - -	George Parkinson and Robert Clark.	George Parkinson and Robert Clark, Denbigh Scott, James Holroyd, Joseph Kaye, Thomas Clarke, Rodolphus Egan, Tom Akam, William Wilkinson, Thomas Hartley, and Samuel Priestley.

Local Government Supplemental (No. 3).

No. on Plan	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
9	Shop, Office, Dwelling house, Yard, Coach-house, and Out-buildings.	John Stead - -	George Parkinson and Robert Clark.	George Parkinson and Robert Clark.
10	Office and Shutter Box.	Mrs. Emily Steele and James Wood, Trustees of John Steele.	Joseph Spink - -	Charles Waller, Joseph Spink.
11	Shop and Stock Room	Alfred Ogden -	- - - -	Hannah Ogden and Alfred Ogden.
12	Piece Rooms - -	James Greaves Tetley Parkinson.	William Rouse and James Hammond.	William Rouse and James Hammond, John Glover, Maurice Goggin.
13	Shop, Dwelling-house, Wash-house and Coal-place.	Ditto - -	- - - -	James Greaves Tetley Parkinson.
14	Piece Rooms - -	Ditto - -	- - - -	Charles Stanfield.
15	Yard and Passage -	Benjamin Greenwood, Alfred Ogden, James Greaves Tetley Parkinson.	William Rouse and James Hammond.	George Edmund Donisthorpe, John Crofts and Richard Dawson, Joshua Wood, Benjamin Greenwood, Henry Mason, James Mallison, John Mallison, Hannah Ogden and Alfred Ogden, James Greaves Tetley Parkinson, Maurice Goggin, John Glover, William Rouse, and James Hammond.
16	Tobacco Manufactory	Alfred Ogden -	- - - -	James Greaves Tetley Parkinson.
17	Privies, Ashpit, and Passage.	James Greaves Tetley Parkinson.	William Rouse and James Hammond	William Rouse and James Hammond, John Glover, Maurice Goggin, James Greaves Tetley Parkinson.
		(SECTION E.)		
18	Public House called "Hope and Anchor" Inn, Outbuildings, and Front Area.	Charles Waller -	- - - -	Charles Dale.
19	Shop, Warehouses, Privy, and Ashpit.	Henry Brown -	- - - -	Henry Brown and Thomas Parkinson Muff.
20	Warehouse and Store-room.	Eliza Senior - -	Henry Brown and Thomas Parkinson Muff.	Ditto.
21	Saddle Room, Brew-house, Warehouse, and Store Room.	Charles Waller, Eliza Senior.	Ditto - -	Charles Dale, Henry Brown, and Thomas Parkinson Muff.
22	Stable, Workroom, and Workshop.	Charles Waller -	- - - -	Charles Dale, J Fletcher.
23	Wool Waste Warehouse.	Thomas Snow Waud.	- - - -	William Brown.
24	Wool Waste Warehouse.	Hannah Green -	- - - -	Joseph Hind, John Waller, and William Atkinson.

Local Government Supplemental (No. 3).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
25	Leather Dealer's Shop, Warehouse, and Front Area.	Eliza Senior -	- - - -	Joseph Dawson Sugden.
26	Piece Rooms, Storeroom, Shop, Workshops, Cellars, Front Area.	Eliza Senior, Thomas Wood Bartholomew, and William Hamond Bartholomew, Charles Senior.	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent.
27	Passage, Yard, Privy, and Ashpit.	Ditto - -	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross.
28	Workshops, Offices, Warehouses, Counting-houses and Cellars.	Thomas Wood Bartholomew, and William Hamond Bartholomew, Charles Senior.	- - - -	Burton Brewery Company (Limited) John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross, Joseph Dawson Sugden.
29	Cellars, Piece Rooms, Bedrooms, Counting-houses, Offices, Yard, and Front Area.	Ditto - -	- - - -	Jonathan Smith, Burton Brewery Company (Limited), John Johnston Parry, agent, Edmund Hindle, Joseph Woodhead Monckman, Richard Mortimer Scholefield, Jane Woodhead.
30	House and Eating Rooms.	Jane Woodhead -	- - - -	Jane Woodhead.
31	House, Shop, and Cellar.	Thomas Snow Waud	- - - -	Charles Dale.
32	Yard, Privies, Ashpits, Manure Pit, covered Road.	Charles Waller, Henry Brown, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior, Eliza Senior, Hannah Green, Jane Woodhead, Thomas Snow Waud.	Henry Brown, Thomas Parkinson Muff.	Henry Brown, Thomas Parkinson Muff, Charles Dale, Jane Woodhead, Richard Mortimer Scholefield, John Denton, Armitage Wilkinson, and Joseph Cockcroft, William Brown, Mary Bentley, Burton Brewery Company (Limited), John Johnston Parry, agent, Jonathan Smith, Edmund Hindle, Joseph Woodhead Monckman, Joseph Mac Owan, William Bowyer Cross, Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth.

Local Government Supplemental (No. 3).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
33	Shop and Warehouses	Francis Sharp Powell.	Henry Brown - -	John Greenwood.
34	Yard and Ashpit -	Ditto - -	Ditto - -	John Greenwood, Henry Brown, and Thomas Parkinson Muff, Joseph Sowden, John Hall. William Brooksbank.
35	Tinner's Shop, Workshop, Warehouse, and Office.	Ditto - -	Ditto - -	Joseph Sowden, John Greenwood.
36	Passage and Public Way.	The Mayor, Aldermen, and Burgesses of Bradford, Francis Sharp Powell.	Ditto - -	The Mayor, Aldermen, and Burgesses of Bradford, Joseph Sowden, John Greenwood.
37	Shop, Cellar, Warehouses, and Back Area.	Francis Sharp Powell.	Ditto - -	John Hall, Joseph Kershaw, and Jonas Jowett.
38	House, Shop, Workshop, Cellar, and Back Area.	Ditto - -	Ditto - -	William Brooksbank.
39	Shop, Workshop, and Warehouse.	Ditto - -	Ditto - -	John Maude.
40	Beerhouse, called "Wakefield Arms," Cellar, and Urinal.	Ditto - -	Michael Stocks, Sarah Priestley.	Sarah Priestley.
41	Wool Warehouse and Privy.	Ditto - -	Michael Stocks -	Joseph Hurst, James Cluderay.
42	Public House called "Roebuck Inn" and Dram Shop, Shop, Warehouses, and Piece Rooms.	Francis Sharp Powell.	John Dyson and James Dyson, John Aked.	Samuel Thomas, James Cluderay, Andrew Moulding, Richard Hardaker and Henry Widdop, Charles Keighley, John Fawcett.
43	Passage, Yard, Ashpit, and Privies.	Ditto - -	Ditto - -	Joseph Hirst, Sarah Priestley, James Cluderay, Abram Moseley and Thomas Moseley, Henry Holdsworth and Robert Clough, Charles Keighley, Thomas Longbottom, Isaac White, Joseph Bottomley, Samuel Thomas, Henry Brown and Thomas Parkinson Muff, Andrew Moulding, Richard Hardaker and Henry Widdop, John Fawcett.
44	Coalplace, Stable, Steps, and Workshop.	Ditto - -	Ditto - -	Samuel Thomas, Henry Brown, and Thomas Parkinson Muff.
45	Wool and Waste Warehouses, Brewhouse, and Cellar.	Ditto - -	Ditto - -	Abram Moseley, Thomas Moseley, Henry Holdsworth and Robert Clough, Charles Keighley, Isaac White, Joseph Sowden, Samuel Thomas.

Local Government Supplemental (No. 3).

No on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
46	Shop and Warehouse	George Royle Wright.	- - - -	Mark Oddy.
47	Shop and Warehouses	Ditto - -	- - - -	George Hannibal Isitt.
48	Warehouse and Bedrooms.	John Ratcliff -	- - - -	Joseph Beanland.
49	Coalhouse, Warehouse, Shop, Yard, Privy, and Passages.	Ditto - -	- - - -	Joseph Beanland, John Hunter.
50	Kitchens and Warehouse.	Ditto - -	- - - -	Ditto.
51	Shop, Sitting-room, and Cellar.	Ditto - -	- - - -	Ditto.
52	Eating House and Shop.	Ditto - -	- - - -	Joseph Beanland.
53	Dwelling House and Shop.	Ann Mann, Joseph Wood	- - - -	Sarah Taylor, Harriet Taylor, and Ann Taylor, Joseph Beanland.
54	House and Shop -	Ann Mann - -	- - - -	Edward Clayton Cooke.
55	Butcher's Shop and Bedroom, Kitchen.	Ditto - -	- - - -	John Ratcliffe, Edward Clayton Cooke.
56	Shop, Cigar Manufactory, and Warehouses.	Ditto - -	- - - -	Samuel Walsh.
57	Shop, Workshop, Warehouse, Passage, and Offices.	Ditto - -	- - - -	Benjamin Butterfield, Henry Yewdall.
58	Yard, Ashpit, and Privy.	Ditto - -	- - - -	Edward Clayton Cooke, John Ratcliffe, Samuel Walsh, Benjamin Butterfield, Henry Yewdall.
59	Shop, Warehouses, Yard, and Water-closet.	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson.
60	Shop - - -	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson, Joseph Hartley.
		(SECTION F.)		
61	Public House called "Boar's Head Inn," Brewhouse, Yard, Ashpit, Privy.	The Mayor, Aldermen, and Burgesses of Bradford.	- - - -	Joseph Blamires.
62	Shop, Room, Yard, Ashpit, and Privy.	Anne Metcalfe -	- - - -	Sarah Hartley.
63	Shop - -	Joseph Farrar -	- - - -	William Brown.
64	Shop, Dwelling-house, and Cellar.	William Holgate -	- - - -	William Holgate.
65	Shop, Room, Cellar, and Closet.	William Holgate, Timothy Longbottom, Trustee of late Nancy Longbottom.	- - - -	George Brown, William Holgate.
66	Shop, Workshops, Warehouse, Cellar.	Timothy Longbottom, Trustee of late Nancy Longbottom, William Holgate.	- - - -	George Brown.
67	Shop, Offices, and Workshop.	Johnson Atkinson Busfield.	- - - -	James Brown, Henry Ibbotson.

Local Government Supplemental (No. 3).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	THIRD PART. COMPRISING the LANDS required for the intended NEW STREET from BANK STREET to SUN BRIDGE, and for widening a portion of BANK STREET.			
18	Public House called "Hope and Anchor" Inn, Outbuildings, and Front Area.	Charles Waller -	- - - -	Charles Dale.
19	Shop, Warehouses, Privy, and Ashpit.	Henry Brown -	- - - -	Henry Brown and Thomas Parkinson Muff.
20	Warehouse and Storeroom.	Eliza Senior -	Henry Brown and Thomas Parkinson Muff.	Ditto.
21	Saddle Room, Brewhouse, Warehouse, and Storeroom.	Charles Waller, Eliza Senior.	Ditto - -	Charles Dale, Henry Brown, and Thomas Parkinson Muff.
22	Stable, Workroom, and Workshop.	Charles Waller -	- - - -	Charles Dale, J. Fletcher.
23	Wool Waste Warehouse.	Thomas Snow Waud.	- - - -	William Brown.
24	Wool Waste Warehouse.	Hannah Green -	- - - -	Joseph Hind, John Waller, and William Atkinson.
25	Leather Dealer's Shop, Warehouse, and Front Area.	Eliza Senior -	- - - -	Joseph Dawson Sugden.
26	Piece Room, Store Room, Shop, Workshops, Cellars, Front Area.	Eliza Senior, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent.
27	Passage, Yard, Privy, and Ashpit.	Ditto - -	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross.
28	Workshops, Offices, Warehouses, Counting-houses, and Cellars.	Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph Mac Owan, William Bowyer Cross, Joseph Dawson Sugden.
29	Cellars, Piece Rooms, Bedrooms, Counting-houses, Offices, Yard, and Front Area.	Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Jonathan Smith, Burton Brewery Company (Limited), John Johnston Parry, agent, Edmund Hindle, Joseph Woodhead Monckman, Richard Mortimer Scholefield, Jane Woodhead.

Local Government Supplemental (No. 3).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
30	House and Eating Rooms.	Jane Woodhead -	- - - -	Jane Woodhead.
31	House, Shop, and Cellar.	Thomas Snow Waud	- - - -	Charles Dale.
32	Yard, Privies, Ashpit, Manure Pit, covered Road.	Charles Waller, Henry Brown, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior, Eliza Senior, Hannah Green, Jane Woodhead, Thomas Snow Waud.	Henry Brown and Thomas Parkinson Muff.	Henry Brown, Thomas Parkinson Muff, Charles Dale, Jane Woodhead, Richard Mortimer Scholefield, John Denton, Armitage Wilkinson and Joseph Cockroft, William Brown, Mary Bentley, Burton Brewery Company (Limited), John Johnston Parry, agent, Jonathan Smith, Edmund Hindle, Joseph Woodhead Monckman, Joseph MacOwan, William Bowyer Cross, Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth.
69	Public House called "The Fleece Inn," Brewhouse, Stables, and Frontage.	Robert Shackleton -	John Smith - -	John Smith.
70	Wool Waste Warehouses.	Ditto - -	Ditto - -	John Smith, John Hartley, Joseph Cooper.
71	Wool Waste Warehouses and Stable.	Ditto - -	Ditto - -	Samuel Procter and Charles Procter, and John Rawnsley.
72	Workshop - -	Ditto - -	Ditto - -	Robert Shackleton, John Fawcett, James Holliwell.
73	Corn Warehouse -	Ditto - -	Ditto - -	Robert Shackleton.
74	Yard, Passage, Privies, and Ashpit.	Ditto - - Robert Shackleton, Robert Holdsworth and Mrs. Judith Holdsworth, Mrs. Ryecroft.	Ditto - -	Henry Scott, Timothy Roper, David Laycock and Benjamin Laycock, Richard Brown, Thomas Holt, Henry Arensberg, John Smith, John Hartley, Joseph Cooper, Samuel Procter and Charles Procter, and John Rawnsley, Robert Shackleton, John Fawcett, James Holliwell.
75	Shop and Storeroom -	Robert Shackleton	- - - -	Henry Arensberg.
76	Shop and Workroom -	Ditto - -	- - - -	Thomas Holt.
77	Shop, Workshop, and Room.	Ditto - -	- - - -	Richard Brown.
78	Shop and Room -	Robert Holdsworth and Mrs. Holdsworth, Mrs. Ryecroft.	- - - -	David Laycock and Benjamin Laycock, Timothy Roper.

Local Government Supplemental (No. 3).

No. on Plan	Description of Land intended to be taken	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
79	House, Shop, and Warehouse.	Robert Holdsworth and Mrs. Holdsworth, Mrs. Ryecroft.	- - - -	Timothy Roper.
80	Shop and Workshop -	Ditto - -	- - - -	Joseph Wilson.
81	Dram Shop, Office, Warehouse, Bottling Room, Counting-house.	James Thistleton Haigh.	William Wright, Trustee of late James Wright.	William Wright, Trustee of late James Wright, Samuel Wright.
82	Shop and Warehouses	Ditto - -	John Conway - -	John Conway.
83	Ditto - - -	Ditto - -	Felix Marsh Remington.	Felix Marsh Remington.
84	Yard, Privies, and Ashpit.	Ditto - -	Felix Marsh Remington, John Conway, William Wright, Trustee of late James Wright.	Felix Marsh Remington, John Conway, William Wright, Trustee of late James Wright.
85	Shop, Storeroom, Workshops, Class Rooms, Warehouse, and Printing Office.	James Willins Taylor.	Joseph Parkinson and Henry Myers.	Joseph Parkinson and Henry Myers, Fred. Smart, John Firth, Richard Fawkes Wardman, Jonas Wood.
86	Shop and Billiard Rooms.	Ditto - -	William James -	William James, Warehousemen's Society, Thomas Firth, Secretary, John Turner.
87	Shop, Piece Rooms, Store Rooms.	Ditto - -	Thomas Ramsden -	Thomas Ramsden, James Collinson, Dan Robinson, Henry Cockroft, William Ackroyd, William Gawthrop.
88	Shop, Warehouse, Piece Rooms, Meeting Room, and Privy.	Ditto - -	William Dawson Mortimer.	William Dawson Mortimer, James Collinson, Mormons' Society, Joseph Bull, Secretary.
89	Passages, Yards, Privies, and Ashpits.	Ditto - -	Joseph Parkinson and Henry Myers, William James, Thomas Ramsden, William Dawson Mortimer.	Frod. Smart, John Firth, Richard Fawkes Wardman, Jonas Wood, William Dawson Mortimer, James Collinson, Mormons' Society, Joseph Bull, Secretary, Thomas Ramsden, Dan Robinson, Henry Cockroft, William Ackroyd, William James, Warehousemen's Society, Thomas Firth, Secretary, John Turner, Joseph Parkinson, and Henry Myers, William Gawthrop.
90	Shop and Warehouse	Elizabeth Rawson -	John Fawcett -	John Fawcett.
91	Shop - - -	Ditto - -	Ditto - -	Ditto, John Poppleton.
53	Dwelling-house and Shop.	Ann Mann, Joseph Wood.	- - - -	Sarah Taylor, Harriet Taylor, Ann Taylor, Joseph Beanland.
54	House and Shop -	Ann Mann - -	- - - -	Edward Clayton Cooke.

Local Government Supplemental (No. 3).

No. on Plan	Description of Land intended to be taken.	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees	Occupiers.
55	Butcher's Shop and Bedroom, Kitchen.	Ann Mann - -	- - - -	John Ratcliffe, Edward Clayton Cooke.
56	Shop, Cigar Manufactory, and Warehouses.	Ditto - -	- - - -	Samuel Walsh.
57	Shop, Workshop, Warehouse, Passage, and Offices.	Ditto - -	- - - -	Benjamin Butterfield, Henry Yewdall.
58	Yard, Ashpit, and Privy.	Ditto - -	- - - -	Edward Clayton Cooke, John Ratcliffe, Samuel Walsh, Benjamin Butterfield, Henry Yewdall.
59	Shop, Warehouses, Yard, and Watercloset.	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson.
60	Shop - - -	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson, Joseph Hartley.

FOURTH PART.

COMPRISING the LANDS required for the intended NEW STREET from BANK STREET to KIRKGATE.

92	Part of Shop - -	John Rawson and Thomas Buck.	- - - -	Joseph Hartley, Joseph Rhodes.
93	Ditto - -	Ditto - -	- - - -	George Farmery, Joseph Rhodes.
94	Part of Shop and Piece Room.	Ditto - -	- - - -	William Cass.
95	Ditto - -	Ditto - -	- - - -	John Irwin, Charles Lumb.
96	Ditto - -	Ditto - -	- - - -	William Mansfield.
97	Warehouses, Shops, Piece Rooms, Offices, Waterclosets, Houses, Beershop called "Piece Hall Vaults," Passage, and Frontage.	Ditto - -	- - - -	John Wilcock, Eli Bottomley, Charles Howard, and Edward Holdsworth, Henry Roberts and Samuel Roberts, Thomas Williamson.
98	Public House called "Talbot Inn," Yard, Brewhouse, Coachhouse, Stables, Ashpits, Privy, and Manure Pit.	Thomas Wood Bartholomew and William Hamond Bartholomew.	Benjamin Briggs Popplewell, Assignee of John Bell.	Benjamin Briggs Popplewell, Assignee of John Bell.
99	Warehouse - -	Thomas Wood Bartholomew and William Hamond Bartholomew.	Ditto - -	Robert Lancester.
100	Wireworker's Shop -	Ditto - -	Ditto - -	Joseph Rhodes.
101	Eating House - -	Ditto - -	Ditto - -	Abel Archer.
102	Talbot Yard - -	Ditto - -	Ditto - -	Benjamin Briggs Popplewell, Assignee of John Bell, Joseph Swaine, Joseph Rhodes, Abel Archer.

Local Government Supplemental (No. 3).

No. on Plan	Description of Land intended to be taken	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees	Occupiers
103	Shop, Dwelling-house, Area, and Ashpit.	Reverend George Barber Paley and Reverend George Mason.	- - - -	John McCroben and Edward McCroben.
104	Yard and Road -	Ditto - -	- - - -	Benjamin Briggs Popplewell, Assignee of John Bell, Joseph Swaine, Joseph Rhodes, Abel Archer, John McCroben and Edward McCroben, Ann Northrop, and Martha Northrop.
105	Shop and Dwelling-house.	Ditto - -	- - - -	Ann Northrop and Martha Northrop.
106	Office and Workroom	Ditto - -	- - - -	James Whalley, William Holgate, Stuff Makers Up Friendly Society, Joseph Hall, Secretary.
107	Dwelling-house -	Ditto - -	- - - -	William Holgate.
108	Offices - - -	Ditto - -	- - - -	George Humble.
109	Offices, Coal Closet, and Steps.	Ditto - -	- - - -	William Gilyard, John Jowett Hill.
110	Offices, Porch, House, Shop, Warehouse, Cellars, Area, and Frontage.	Ditto - -	- - - -	William Gilyard, William Hargreaves, James Taylor.
111	Shop, Dwelling-house, and Frontage.	Ditto - -	- - - -	Thomas Whitfield.
112	Shop, Dwelling-house, Area, and Frontage.	Ditto - -	- - - -	Henry Arensberg and Louis Arensberg.
113	Shop, Dwelling-house, and Coal-place.	Reverend George Barber Paley and Reverend George Mason.	- - - -	James Bowes.
114	Shop, Workrooms, and Coal place.	Ditto - -	- - - -	Henry Rhodes.
115	Passage, Yard, Privy, and Ashpit.	Ditto - -	- - - -	James Taylor, Thomas Whitfield, Henry Arensberg and Louis Arensberg, James Bowes.
116	Warehouses and Steps	Ditto - -	- - - -	William Hudson Bilbrough, Edmund Jowett.
117	Ditto - - -	Ditto - -	- - - -	Francis Lister and Joseph Jowett.
118	Shops, Dwelling-house, Warehouse, Yard, Area, Post Office, Offices, and Workshops.	Ditto - -	- - - -	Edwin Davis, John Boast, Henry Francis Lockwood, William Mawson and Richard Mawson, Henry Ogle Mawson, William Coates (Postmaster).

Local Government Supplemental (No. 3).

No. on Plan	Description of Land intended to be taken	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
119	Yard, Privies, and Ashpits.	Ditto - -	- - - -	Ann Northrop, James Whalley, William Holgate, Stuff Makers Up Friendly Society, Joseph Hall, Secretary, George Humble, William Gilyard, John Jowitt Hill, William Hargreaves, Henry Rhodes, William Hudson Bilbrough, Edmund Jowitt, Henry Ogle Mawson, Edwin Davis, John Boast, William Coates, Henry Francis Lockwood, William Mawson and Richard Mawson.
120	Public Foot Road called "Union Passage."	The Mayor, Aldermen, and Burgesses of Bradford, Reverend George Barber Paley, and Reverend George Mason.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.
121	Boundary Wall -	Ann Rouse, John Seppings Harrison and Thomas Emsley, Trustees of late David Rouse.	—	—

FIFTH PART.

COMPRISING the LANDS required for the EXTENSION of BROOK STREET.

122	Wool Warehouses, Offices, and Piece Rooms.	Richard Polycarp Mortimer.	- - - -	Thomas Robertshaw, Luther Robertshaw, Calvin Robertshaw, and Illingworth Robertshaw, Samson Woller.
123	Ditto - -	Ditto - -	- - - -	James Oddy, Joseph Oddy, Thomas Oddy, and William Oddy, James Lund.
124	Shop, Wool Warehouses, and Frontage.	William Reynald -	Benjamin Tetley and William Tetley.	William Reynald, Benjamin Tetley, William Tetley.
125	Shop, Office, Warehouses, and Frontage.	William Reynald -	James Oldfield and John Reffitt.	James Oldfield, John Reffitt, Alfred Ellison.
126	Ashpit - - -	Ditto -	Benjamin Tetley and William Tetley, James Oldfield and John Reffitt.	William Reynald, Benjamin Tetley and William Tetley, James Oldfield and John Reffitt, Alfrod Ellison

BENGAL LEGISLATIVE LIBRARY

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
127	Street called "Ship Alley."	The Mayor, Aldermen, and Burgesses of Bradford.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.

SIXTH PART.

COMPRISING the LANDS required for the intended NEW STREET from WESTGATE to THORNTON ROAD.

128	Public House called "Bee Hive Inn," Brewhouse, Cottage, Stables, Timber Yards, Slaughter Houses, Blacksmith's Shop, Privies, and Outbuildings.	John Hamerton, Richard Sterne Carroll, Mary Ellen de Cardonel Wright, Rev. Thomas Booth Wright, and John Field Wright, and the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	John Ambler, James Sadler, Joseph Greetham, John Waters, Jane Lancaster, Frederick Johnson, Jane Waterhouse Burnett, Joseph Popplewell, Thomas Archbell Smith, John Hirst Thornton, Richard Berry.
129	Yards, Passages, Bridge, and open Ground.	Ditto - -	- - - -	John Ambler, James Sadler, Joseph Greetham, John Waters, Jane Lancaster, Frederick Johnson, Thomas Archbell Smith, Jane Waterhouse Burnett, Joseph Popplewell, John Hirst Thornton, Richard Berry, Harrison Nicholson.
130	House, Shop, and Coal-place.	Ditto - -	- - - -	Thomas Archbell Smith.
131	House, Shop, Coal-place, Coach-house, Stable, and Warehouse.	Ditto - -	- - - -	Harrison Nicholson.
132	Mill Goit - -	John George Smyth	- - - -	Edward West, John Slater Stansfield.
133	Goit Side and Public Footpath.	John George Smyth, the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.
134	Whitesmith's Shop, Schoolroom, Cart Shed, Stables, Yard and Outbuildings, and Byewash.	John George Smyth	- - - -	Joseph Parrott, Edward West, and John Slater Stansfield.
135	Foundry and Yard -	Ditto - -	- - - -	John Willis.
136	Workshops, Warehouses, and Yard.	Michael Nelson -	- - - -	Edward Hillam, Joseph Garner, Michael Nelson.
137	House and Coal-place	John Christopher Smith.	- - - -	Sally Smith.

Local Government Supplemental (No. 3).

No. on Plan	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees	Occupiers
138	Slaughter House, Workshops, and Yard.	John Christopher Smith.	-	Samuel Bidwell, David Blowers and Edward Kemp, Sally Smith, Philip Smith, Elizabeth Smith.
139	Cottage and Land -	Abraham Shepherd, Sarah Holmes, Representatives of Abel Stell, viz. Mrs. Ellen Oddy, David Earnshaw, William Townend, Reuben Stell, Mrs. Hird, John Wood, Joseph Wood, Samuel Stell, James Stell, William Hanson, Charles Crabtree, Representatives of James Clegg.	-	Thomas Wilson.
140	Cottage and Wall -	Ditto - -	-	John Kennedy.
141	Ditto - - -	Ditto - -	-	Joseph Foster
142	Cottage and Wall -	Ditto - -	-	Tabitha Horsfield.
143	Cottage, Coal-place, and Wall.	Ditto - -	-	Jonathan Forster.
144	Cottage, Coal-place, and Yard.	Ditto - -	-	Sarah Beetham.
145	Cottage - -	Ditto - -	-	Sarah Beetham.
146	Cottage, Yard, and Coal place.	Ditto - -	-	Benjamin Firth.
147	Yard and Privy -	Ditto - -	-	Sarah Beetham, Benjamin Firth, Sally Smith, Samuel Bidwell, David Blowers and Edward Kemp, Philip Smith, Elizabeth Smith, Samuel Pollard, John Kennedy, Joseph Foster, Tabitha Horsfield, Jonathan Foster.
148	Bycwash - -	Thomas Firth, Michael Nelson, John George Smyth.	-	Edward West, John Slater Stansfield.
149	Vacant Ground and Beck.	Thomas Firth -	-	Joseph Freeman.
150	Workshop, Warehouse, and Ground.	Ditto - -	-	Richard Lacey.
151	Dwelling-house and Shop.	Jonas Illingworth, John Schofield, and The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary.	-	Samuel Tiplady

Local Government Supplemental (No. 3).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
152	Dwelling-house and Office.	Jonas Illingworth, John Schofield, and The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary.	- - - -	Jonas Illingworth.
153	Warehouses - -	Ditto - -	- - - -	Robert Sutcliffe, Lockwood Stephenson.
154	Ditto - - -	John Schofield -	- - - -	John Ellis and Abraham Jagger.
155	Ditto - - -	Ditto - -	- - - -	Jonathan Aykroyd and Thomas Wroe.
156	Ditto - - -	Ditto - -	- - - -	Jonathan Holdsworth.
157	Ditto - - -	Joseph Hopkinson and Thomas Hopkinson.	- - - -	Samuel Lee, Joseph Hopkinson and Thomas Hopkinson.
158	Workshops and Warehouses.	Ditto - -	- - - -	Joseph Hopkinson and Thomas Hopkinson.
159	Warehouses - -	William Rhodes -	John Scott and John Whittaker.	John Scott and John Whittaker.
160	Workshops and Warehouses.	William Rhodes -	John Scott and John Whittaker.	William Rhodes, John Scott, and John Whittaker.
161	Workshops - -	John Schofield -	- - - -	Samuel Longbottom, Joseph Freeman, Booth Illingworth, William Parkinson, Denton Waring, John Warburton.
162	Yard, Passage, Privies, and Ashpit.	Jonas Illingworth, John Schofield, The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary, Joseph Hopkinson, and Thomas Hopkinson.	- - - -	Samuel Longbottom, Joseph Freeman, Booth Illingworth, John Ellis and Abraham Jagger, Robert Sutcliffe, Lockwood Stephenson, Jonathan Ackroyd and Thomas Wroe, Jonathan Holdsworth.
163	Street called "Wade Street."	John George Smyth, Michael Nelson, Thomas Firth, William Rhodes, Jonas Illingworth.	Joseph Hopkinson and Thomas Hopkinson.	John Willis, Edward Hillam, Joseph Garner, Michael Nelson, William Rhodes, John Scott and John Whittaker, Joseph Hopkinson and Thomas Hopkinson.

SEVENTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of WESTGATE.

164	House, Shop, Yard, Privy, and Ashpit.	Christopher Sewell	- - - -	Christopher Sewell.
165	Public House called "Half Moon," Yard, Privy, and Ashpit.	Ditto - -	- - - -	William Wharton.

Local Government Supplemental (No. 3).

No on Plan.	Description of Land intended to be taken	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees	Occupiers.
166	Public House called "Westgate Tavern," Yard, Privy, and Ashpit.	William Bakes -	- - - -	Richard Hyde, Charles Waller, Thomas Kelly.
167	Public House called "Dusty Miller," Yard, Privy, and Ashpit.	Christopher Irving	- - - -	William Unwin.
168	Dwelling-house, Shop, and Yard.	Ditto - -	- - - -	James Sadler.
169	House - - -	Hall Aspinall -	- - - -	Hall Aspinall.
170	House - - -	John Aspinall -	- - - -	John Aspinall.
171	Stable and Room over	Hall Aspinall and John Aspinall.	- - - -	Hall Aspinall and John Aspinall.
172	Brewhouse - -	John Aspinall -	- - - -	William Unwin.
173	Privy and Ashpit -	Hall Aspinall -	- - - -	Hall Aspinall, John Aspinall, Daniel Smith.
174	House - - -	James Brown -	- - - -	Daniel Smith.
175	Yard called Aspinall's Yard.	Christopher Irving, William Bakes, Christopher Sewell, Hall Aspinall, John Aspinall, Hall Aspinall, and Isaac Brown, Trustees of late John Aspinall, James Brown.	- - - -	James Sadler, William Unwin, Richard Hyde, Thomas Kelly, William Wharton, Christopher Sewell, Hall Aspinall, John Aspinall, and Daniel Smith.

EIGHTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of JAMES STREET.

176	Shop, House, Warehouse, and Privy.	William Wells -	- - - -	Francis Garvey.
177	Shop, House, Privy, and Yard.	Ditto - -	- - - -	George Brook.
178	Yard, Wall, and Ash pit.	Ditto - -	- - - -	George Brook, Francis Garvey.
179	Warehouses and Workshops.	Elizabeth Smith and Richard Waterhouse, Trustees of the late Jonas Smith.	- - - -	Joshua Lambert, John Wesley Smith.
180	Slaughter House and Yard.	Henry Westwood and Benjamin Pickles.	- - - -	Joseph Lumby.
181	Carthouse, Stable, Manure Pit, and Yard.	Ditto - -	- - - -	Robert Morrell.
182	Privy and Ashpit -	Ditto - -	- - - -	Benjamin Pickles.
183	Vacant Ground called "Old Quarry."	Ditto - -	- - - -	Unoccupied.

No on Plan	Description of Land intended to be taken	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees	Occupiers.
	NINTH PART.			
	COMPRISING the LANDS required for the intended NEW STREET from JAMES STREET to DARLEY STREET.			
184	Shops, Dwelling-house, Yards, and Outbuildings	Trustees of Kirkgate Wesleyan Chapel, Thomas Haigh, Secretary.	- - - -	Thomas Lund, Edward Harland, Joseph Lancaster, Tom Harland.
185	Private Road - -	Trustees of Kirkgate Wesleyan Chapel.	- - - -	Trustees of Kirkgate Wesleyan Chapel, Edward Harland, Tom Harland, Joseph Lancaster.
186	Yard, Slaughter House, and Privies.	Elizabeth Rawson -	- - - -	Elizabeth Rawson.
187	Public House, called "Market Tavern," Yard, and Outbuildings.	Ditto - -	- - - -	James Hammond.
188	Street and Part of Market.	Ditto - -	- - - -	Elizabeth Rawson, William Walmsley, Henry Badman, Edward Topham
189	Wool Warehouse, Office, and Butter Market.	Ditto - -	- - - -	John Light, Joseph Rhodes, Thomas Midgley, Charles Hill, John Hodgson, Mayor, Aldermen, and Burgesses of the Borough of Bradford, Samson Leigh, Henry Badman, Benjamin Ackroyd, Joseph Crabtree, James Hagley, John Goodall.
	TENTH PART.			
	COMPRISING the LANDS required for the IMPROVEMENT of DUKE STREET.			
190	Stable, Coach-house, Yard, Privy, and Manure Pit.	William Aked, Jeremiah Robertshaw, and the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	Thomas Robinson.
191	Offices, Dwelling-house, Privy, and Garden.	Ditto - -	- - - -	John Darlington.

No on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees.	Occupiers.
	ELEVENTH PART.			
	COMPRISING the LANDS required for the IMPROVEMENT of KIRKGATE and IVEGATE.			
192	Shop and Workshops	Bailey Blackburn -	- - - -	Thomas Hunter.
193	Shops and Warehouse	Ditto - -	- - - -	Bailey Blackburn, John Riley.
194	Shop, Dwelling-house, Warehouse, Out-buildings, and Area.	John Charles Pearce	- - - -	Hannah Chatterton, Michael Newbould.
195	Shop, Dwelling-house, Warehouse, Area, and Frontage.	Ditto - -	- - - -	Ann Newton, Squire Dracup.
196	Shop, Warehouses, and Frontage.	Ditto - -	- - - -	John Hudson Waite, Michael Newbould.
197	Yard, Privy, and Ash-pit.	Ditto - -	- - - -	Hannah Chatterton, John Hudson Waite, Michael Newbould.
198	Shop, Dwelling-house, Workshop, Warehouse, and Frontage.	Ditto - -	- - - -	Michael Newbould, John Hudson Waite.
199	Workshop and Warehouse.	Ditto - -	- - - -	John Pearson.
	TWELFTH PART.			
	COMPRISING the LANDS required for the IMPROVEMENT of CARLISLE ROAD.			
200	Cottage, Yard, and Outbuildings.	James Atkinson Jowett.	- - - -	Elizabeth Rhodes.

GLOUCESTER.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Gloucester Board of Health.

Whereas the Mayor, Aldermen, and Citizens of the City of Gloucester, in the County of the City of Gloucester, acting as the Local Board of Health in and for the City of Gloucester aforesaid, being the District of the said Board in which the Public Health Act, 1848, "The Public Health Supplemental Act, 1849," and "The Local Government Act, 1858," are in force, have, in pursuance of the Local Government Act, 1858, presented a Petition to One of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of and transfer of powers under certain Local Acts of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the fourth year of the reign of King George the Third (Cap. 60.), intituled "An Act for the more effectual relief and employment "of the Poor within the City of Gloucester, and for lighting the streets "of the said City;"

A certain

A certain other Act passed in the twenty-first year of the reign of King George the Third (Cap. 74.), intituled "An Act for erecting a new gaol "and for removing certain gateways in the City of Gloucester; and for "amending the several Acts passed for the maintenance and support of "the Poor of the said City, and lighting, paving, and regulating the "streets there;"

A certain other Act passed in the fifty-ninth year of the reign of King George the Third (Cap. 69.), intituled "An Act for enabling the Governor "and Guardians of the Poor of the City of Gloucester to light the said "City with gas, and to enter into the necessary contracts for that purpose;"

A certain other Act passed in the first and second years of the reign of King George the Fourth (Cap. 22.), intituled "An Act for establishing a "proper place for holding markets and fairs for the sale of live stock in "the City of Gloucester and the suburbs thereof, and for opening con-"venient avenues thereto, and for watching and otherwise improving the "said City;" and

A certain other Act passed in the fourth year of the reign of King William the Fourth (Cap. 44.), intituled "An Act to provide for lighting the "suburbs of the City of Gloucester with gas."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and duly made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the said herein-before recited Local Act passed in the first and second years of the reign of King George the Fourth (Cap. 22.) specified in the Schedule hereunto annexed shall be repealed.

2.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Act 1 & 2 Geo. 4. c. 22. shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Act, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board of Health aforesaid.

3.—All the powers of the Governor and Guardians of the Poor within the aforesaid District, under any of the said herein-before recited Acts, for the erection of gasworks and the supply of gas for public or private consumption shall cease and determine, and the said Acts, so far as they confer such powers, shall be repealed; and the said Local Board shall, within the said District, possess all the powers in relation to lighting, except as aforesaid, conferred by the said Acts on the said Governor and Guardians; but this clause shall not come into operation until the first day of July or the first day of January which shall happen next after the confirmation of this Order; and notwithstanding such repeal the Governor and Guardians may recover any rate or rates then due and unpaid.

4.—All

4.—All the powers of the Commissioners acting in execution of the hereinbefore recited Local Act 4 Will. 4. c. 44., within the said District, shall cease and determine, and the powers for lighting conferred by the 22d section of the said Act, so far as relates to its operation in the said District or part thereof, shall be transferred to the said Local Board; but this clause shall not come into operation until the first day of July or the first day of January which shall happen next after the confirmation of this Order; and notwithstanding such transfer the Commissioners may recover any rate or rates then due and unpaid.

5.—All property and estate of the aforesaid Governor and Guardians in respect of the lighting of the said streets, and of the Commissioners respectively under the said several Local Acts, so far as regards the said District, shall, upon their respective powers ceasing as aforesaid, vest in the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board for similar purposes to those for which they are now held.

6.—The Governor and Guardians and Commissioners respectively shall receive and pay all debts and liabilities to or from or by such authorities, in respect of the said District and every part thereof, up to the time when their powers shall cease as aforesaid, and thenceforth all debts and liabilities in respect of the said District shall respectively be paid to or satisfied by the said Local Board of Health; and all payments in respect thereof by the said Local Board of Health may be made out of the General District Rates leviable in the said District under the Local Government Act, 1858, and all payments in respect thereof to the said Local Board of Health shall go in aid of the General District Rates of the said District. And the future cost and expense of the execution by the said Local Board of Health of the transferred powers and authorities shall be paid out of and form part of the General District Rates of the said District, and be subject to the provisions relating to General District Rates: And the Provisions relative to rates heretofore levied under the said recited Acts, and every of them, shall, upon the confirmation of this Order, be repealed so far as concerns the said District.

Given under my hand this Sixth day of April One thousand eight hundred and sixty-five.

(Signed) G. Grey.

Schedule to which this Order refers.

The parts of the Local Act 1 & 2 Geo. 4. c. 22 referred to in this Order to be repealed are as follows; that is to say,

All the sections of the said Local Act from section 16 to section 61, both inclusive, except sections 30, 31, 49, 50, 51, 53, 54. 55, and 56.

LONDON:

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BENGAL SECRETARIAT LIBRARY

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CAP. XLII.

An Act for facilitating the Annexation of Tithes to District Churches. [19th *June* 1865.]

WHEREAS by the Act of the Session of the First and Second Years of His Majesty King *William* the Fourth, Chapter Forty-five, Section Twenty-one, it is amongst other things provided that it shall be lawful for any Rector or Vicar for the Time being of any Rectory or Vicarage, by a Deed duly executed by him, to annex to any Chapel of Ease or Parochial Chapel to any District Church or Chapel, or any Chapel having a District assigned thereto, whether already built or hereafter to be built (such Chapel of Ease or other Chapel or Church, with the District or Place to which the same belongs, being situate within the Limits or within the original Limits of the said Rectory or Vicarage), any Part or Parts of the Tithes or other annual Revenues belonging to such Rectory or Vicarage: Provided that every such Annexation be made with such Consents as are therein mentioned: And whereas it is expedient to extend the Powers of annexing Tithes to District Churches: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual 1 & 2 W. 4. c. 45.

 and

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The District Church Tithes Act, 1865."

Definition of Terms.

2. For the Purposes of this Act "District Church" shall include any Chapel of Ease or Parochial Chapel, or any District Church or Chapel or any Church or Chapel having a District assigned thereto, whether already built or hereafter to be built, and the Church of any Parish formed or to be formed under the new Parishes Acts, 1843, 1844, and 1856, or any of such Acts; and "District" shall include any such Parish as last aforesaid, or any ancient or consolidated Chapelry, or any Parish or District formed under any of the Church Building Acts, or any other General or Local Act; and "Tithes" shall include "Commutation Rentcharges, and all Moduses, Compositions, prescriptive and other Payments or Redemption Money in lieu of Tithes," or any Part or Parts thereof respectively, and any Land for which such Tithes or other Payments in lieu thereof may have been commuted.

Power to Rectors or Vicars to sell Tithes to District Church.

3. The Rector or Vicar for the Time being of any Rectory or Vicarage may agree with the Incumbent of any District Church, either wholly or in part, situate within the Limits or original Limits of the said Rectory or Vicarage, to annex to such District Church the Tithes or Part of the Tithes belonging to such Rectory or Vicarage, and arising in respect of Property situate within the District belonging to such District Church, in consideration of a sufficient Compensation being made to the said Rector or Vicar and his Successors for the Loss of the said Tithes out of the Endowments of the said District Church, or by some other Means.

Assents required to Agreement.

4. No Agreement shall be valid on the Part of a Rector or Vicar under this Act unless it be assented to, firstly, by the Archbishop or Bishop of the Diocese within which his Rectory or Vicarage is situate, or if it be situate within a peculiar Jurisdiction belonging to an Archbishop or Bishop by such last-mentioned Archbishop or Bishop, and, secondly, by the Patron of the Rectory or Vicarage; and no Agreement shall be valid on the Part of the Incumbent of a District Church except with the Consent of the Patron of such Church, and with the Approval of the Ecclesiastical Commissioners for *England* where the Compensation to be made to the Rector or Vicar is payable out of Funds in the Hands of the said Commissioners, and of the Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of Poor Clergy where the Compensation

Compensation to be made is payable out of Funds in the Hands or subject to the Control of the said Governors.

5. Any Agreement under this Act between a Rector and Vicar on the one Part and an Incumbent of a District Church on the other shall be in Writing under their respective Hands. Form of Agreement.

6. Any Assents required by this Act may be testified by the assenting Party executing the Agreement between the Rector or Vicar and the Incumbent of the District Church, and the Provisions of the above-mentioned Act, and of the Act of the Session of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-four, as to Patrons of Benefices shall apply to the Assent of Patrons under this Act. Assents how testified.

7. The Provisions of the Twenty-second Section of the Act of the Session of the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Thirty-seven, enabling Persons and Bodies Corporate to give Lands or Goods for the Purposes of that Act, shall extend to authorize them to give in manner therein mentioned Lands or Goods for the Purposes of purchasing any Tithes, or to give any Tithes with a view to the Annexation of such Tithes to a District Church. Persons and Bodies Corporate empowered to give Lands or Goods for the Purposes of this Act.

8. Any Agreement made in pursuance of this Act shall be carried into effect by the Ecclesiastical Commissioners for *England*, and any Order made by Her Majesty in Council ratifying such Agreement, and transferring on the one Side the Tithes proposed to be transferred to the Incumbent of the District Church, and on the other securing to the Rector or Vicar the Compensation agreed upon, shall be valid to vest in the said Incumbent and his Successors such Tithes, and to secure to the said Rector or Vicar such Compensation; and when the Approval of the Governors of the Bounty of Queen *Anne* is required such Approval may be certified by any Instrument under their Corporate Seal, and when the Approval of the said Ecclesiastical Commissioners is required it shall be implied by such Order in Council as aforesaid being passed. Agreement to be carried into effect by Order in Council.

9. Where Tithes of any Kind or Amount belong to or shall to the Satisfaction of the Ecclesiastical Commissioners be transferred to the Incumbent of the Church of any Parish, Chapelry, or District, provided such Tithes arise within such Parish, Chapelry, or District, or where any Annuity shall be granted by the Ecclesiastical Commissioners to any Incumbent in consideration of Tithes arising within the Limits of his District, and now or at any Time in the Possession Where Tithes belong to Incumbent of District Church Ecclesiastical Commissioners may declare Church to

be either a Rectory or Vicarage.

Possession of the said Ecclesiastical Commissioners, it shall be lawful for the said Ecclesiastical Commissioners, by Instrument under their Common Seal, to declare that such Church shall be and be deemed to be either a Rectory or Vicarage as they may under the Circumstances of each Case think proper, and such Instrument shall be published in the *London Gazette*, and take effect from the Time of Publication.

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without reasonable Cause, and that the Wife is maintaining herself by her own Industry or Property, may make and give to the Wife an Order protecting her Earnings and Property acquired since the Commencement of such Desertion from her Husband, and all Creditors and Persons claiming under him, and such Earnings and Property shall belong to the Wife as if she were a Feme Sole: Provided always, that a Copy of every such Order, if made by a Police Magistrate or Justices at Petty Sessions, shall, within Ten Days from the making thereof, be lodged with the Clerk of the Peace of the County within which the Wife is resident; and that it shall be lawful for the Husband, and any Creditor or other Person claiming under him, to apply to the same Judge, or any other Judge of the Court, or to the Magistrate or Justices by whom such Order was made, or for the Time being acting instead of or as Successors to the same, for the Discharge thereof: Provided also, that if the Husband, or any Creditor or other Person claiming under the Husband, shall seize or continue to hold any Property of the Wife after Notice of any such Order, he shall be liable, at the Suit of the Wife (which she is hereby empowered to bring), to restore the specific Property, and also for a Sum equal to double the Value of the Property so seized or held after such Notice as aforesaid: If any such Order of Protection be made, the Wife shall, during the Continuance thereof, be and be deemed to have been during such Desertion of her in the like Position in all respects with regard to Property, and Courtesy, and suing and being sued, as she would be under this Act if she obtained a Decree of Divorce *à Mensâ et Thoro.*

Protection of Wife's Property after Divorce à Mensâ et Thoro.

2. In every Case of a Divorce *à Mensâ et Thoro* the Wife shall, from the Date of the Sentence, and whilst the Separation shall continue, be considered as a Feme Sole with respect to Property of any Description which she may acquire or which may come to or devolve on her, and such Property may be disposed of by her in all respects as a Feme Sole, and on her Decease the same shall, in case she shall die intestate, go as the same would have gone if her Husband had been then dead: Provided that if any such Wife should again cohabit with her Husband, all such Property as she may be entitled to when such Cohabitation shall take place shall be held to her separate Use, subject, however, to any Agreement in Writing made between herself and her Husband whilst separate.

After Divorce à Mensâ et Thoro, Wife to be deemed

3. In every Case of Divorce *à Mensâ et Thoro* the Wife shall, whilst so separated, be considered as a Feme Sole for the Purposes of Contract, and Wrongs and Injuries, and suing and being sued in any Civil Proceeding, and her Husband shall not be liable in respect

respect of any Engagement or Contract she may have entered into, or for any wrongful Act or Omission by her, or for any Costs she may incur as Plaintiff or Defendant: Provided that where upon any such Divorce Alimony has been decreed or ordered to be paid to the Wife, and the same shall not be duly paid by the Husband, he shall be liable for Necessaries supplied for her Use: Provided that nothing shall prevent the Wife from joining at any Time during such Separation in the Exercise of any joint Power given to herself and her Husband.

Feme Sole as to Property.

4. Every Decree or Order for Alimony and Costs made or pronounced after the passing of this Act by any Court in *Ireland* having Authority for that Purpose may be enforced in the same Manner as if the said Decree or Order was a Judgment or Order of One of the Superior Courts of Law in *Ireland*.

Mode of enforcing Decree for Alimony.

5. This Act shall be held to apply to *Ireland* only.

To apply to Ireland only.

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VICTORIÆ REGINÆ.

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Pilotage Order Confirmation.

Confirmation of Order.

1. The Order set out in the Schedule hereto shall be and is hereby confirmed, and all the Provisions thereof, in manner and form as they are set out in the said Schedule, shall from and after the passing of this Act take effect and have full Validity and Force.

Short Title.

2. This Act may be cited as The (*Tyne*) Pilotage Order Confirmation Act, 1865.

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SCHEDULE.

Amended Order referred to and confirmed by the foregoing Act.

1. There shall be a body of Commissioners for carrying this Order into execution, the full number of whom shall be seventeen, which Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of The Tyne Pilotage Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of land and other property for the purposes, but subject to the restrictions, of this Order. The term "the Commissioners" herein-after used means the Tyne Pilotage Commissioners.

Incorporation of Commissioners.

2. The appointment and election of the several Commissioners shall be regulated as follows:—

Appointment and election of Commissioners.

(1.) The Board of Trade shall, as soon as may be after the commencement of this Order, appoint two persons to be Commissioners; and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those two Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(2.) The Tyne Improvement Commissioners shall, as soon as may be after the commencement of this Order, appoint two persons to be Commissioners; and whenever a vacancy is caused by death, resignation, or otherwise in the office of any of those Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(3.) The Sea Pilots of the Tyne and the Pilots licensed for any part of the River Tyne or the entrance thereof (hereafter in this Act called Tyne Pilots) shall from time to time elect two persons to be Commissioners:

(4.) The registered Shipowners of Newcastle-upon-Tyne shall from time to time elect two persons to be Commissioners:

(5.) The registered Shipowners of North Shields shall from time to time elect two persons to be Commissioners:

(6.) The registered Shipowners of South Shields shall from time to time elect two persons to be Commissioners:

(7.) The Master Pilots and Seamen of the Trinity House of Newcastle-upon-Tyne shall, as soon as may be after the commencement of this Order, appoint five persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any

any of those five Commissioners, shall appoint another person to fill the vacancy, and so totics quoties.

Tenure of office of appointed Commissioners.

3. Each appointment of a Commissioner (other than Commissioners elected by Pilots and by Shipowners) shall be determinable at any time by the authority which appointed that Commissioner, and (subject thereto and to the other provisions of this Order, and of any Act incorporated therewith) each such appointment shall be operative for five years and no longer, but at the end of the term of five years an outgoing Commissioner shall be capable of re-appointment.

Election of Commissioners by Tyne Pilots.

4. With respect to the election of Commissioners by Tyne Pilots the following provisions shall take effect:—

(1.) The first meeting of Tyne Pilots for the election of Commissioners shall be held at the Town Hall of the Borough of South Shields within one calendar month after the commencement of this Order, at a time to be advertised by Mr. Thomas Carr Lietch, solicitor, ten days at least, or in his default by a person appointed for the purpose by the Board of Trade five days at least, before the day of meeting, by hand-bills posted in Newcastle-upon-Tyne and in North and South Shields:

(2.) Annual meetings of Tyne Pilots for the election of Commissioners shall be held at the Town Hall of the Borough of South Shields aforesaid, or at such other place within the said Borough as the Commissioners from time to time appoint, on such day within ten days next before the first day of October in the year one thousand eight hundred and sixty-six and in each subsequent year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand-bills posted in Newcastle-upon-Tyne and in North and South Shields:

(3.) Such only of the said pilots as are licensed at the commencement of this Order shall be entitled to attend the said first meeting, and to take part and vote in the election of Commissioners thereat:

(4.) Such only of the said pilots as are licensed on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings, and to take part and vote in the election of Commissioners thereat respectively:

(5.) At the first meeting one of the two persons appointed to be Commissioners by the Board of Trade shall attend and act as chairman of the meeting:

(6.) At each annual meeting the Chairman of the Commissioners, or in his unavoidable absence one of the two persons appointed to be Commissioners by the Board of Trade, shall attend and act as chairman of the meeting:

(7.) The election of Commissioners at the first and each annual meeting

meeting shall be made by the majority of licensed pilots present at the meeting:

(8.) The Commissioners elected at the first or at any annual meeting shall go out of office at the next meeting, but shall be re-eligible:

(9.) Section nineteen of The Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by Newcastle-upon-Tyne Shipowners.

5. With respect to the election of Commissioners by the registered Shipowners of Newcastle-upon-Tyne, the following provisions shall take effect:—

(1.) The first meeting of the registered Shipowners of Newcastle-upon Tyne for the election of Commissioners shall be held at the Town Hall of the borough of Newcastle-upon-Tyne within one calendar month after the commencement of this Order, at a time to be advertised by the said Thomas Carr Lietch, solicitor, ten days at least, or in his default by a person appointed for the purpose by the Board of Trade five days at least, before the day of meeting, by hand-bills posted in the borough of Newcastle-upon-Tyne:

(2.) Annual meetings of the registered Shipowners of Newcastle-upon-Tyne for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Newcastle-upon-Tyne as the Commissioners from time to time appoint, on such day within ten days next before the first day of October in the year one thousand eight hundred and sixty-six and in each subsequent year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand-bills posted in the borough of Newcastle-upon-Tyne:

(3.) Such only of the registered Shipowners of Newcastle-upon-Tyne as are registered at the commencement of this Order shall be entitled to attend the said first meeting, and to take part and vote in the election of Commissioners thereat:

(4.) Such only of the registered Shipowners of Newcastle-upon-Tyne as are registered on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings, and to take part and vote in the election of Commissioners thereat respectively:

(5.) At the first and every such annual meeting a list of the names of the registered Shipowners of Newcastle-upon-Tyne, up to and inclusive of the then last 31st day of December, certified under the hand of the Collector or other principal Officer of Customs of the port, shall be sufficient evidence of the persons named therein being registered Shipowners of Newcastle-upon-Tyne, and as such entitled to attend the meeting and take part and vote in the election thereat. The said Collector or principal Officer shall supply a copy of such list on the occasion of the first meeting to the said Thomas Carr Lietch, and of each

such annual meeting to the Clerk of the Commissioners, who shall respectively cause a sufficient number of copies thereof to be printed, and shall supply a copy thereof to every person requiring the same on payment of the sum of 6*d.* for every 100 words of such copy, and copies of such list shall be fixed by the said Thomas Carr Lietch and the said Clerk of the Commissioners respectively on the outer doors of the Town Hall of the borough of Newcastle-upon-Tyne two days at least before the day appointed for the first and each such annual meeting:

(6.) At the first and each such annual election each registered Shipowner of Newcastle-upon-Tyne shall be entitled to one vote and no more for each Commissioner then to be elected:

(7.) The election of Commissioners at the first and each such annual meeting shall be made by the majority of registered Shipowners of Newcastle present at the meeting:

(8.) Every person elected as a Commissioner by the registered Shipowners of Newcastle-upon-Tyne shall be required to have the following qualification; namely, to possess, in his own right, shipping registered in his own name at the Custom House of the port of Newcastle-upon-Tyne on the 31st day of December next before the day of election of not less than 200 tons register burthen:

(9.) Such one of the Commissioners elected by the registered Shipowners of Newcastle-upon-Tyne at the first meeting as is named last on the list of persons elected shall go out of office at the second meeting, but shall be re-eligible; such one of them as is named second on the list shall go out of office at the third meeting, but shall be re-eligible:

(10.) Each Commissioner elected by the registered Shipowners of Newcastle-upon-Tyne at the annual meeting shall go out of office at the second meeting after his election, but shall be re-eligible:

(11.) Section nineteen of the Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by North Shields Shipowners.

6. With respect to the election of Commissioners by the registered Shipowners of North Shields, the provisions of the last foregoing clause shall apply in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of North Shields for the registered Shipowners of Newcastle-upon-Tyne, and the substitution of the Borough of Tynemouth for the Borough of Newcastle-upon-Tyne.

Election of Commissioners by South Shields Shipowners.

7. With respect to the election of Commissioners by the registered Shipowners of South Shields, the provisions of the last-mentioned clause shall apply in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of South Shields for the registered Shipowners

owners of Newcastle-upon-Tyne, and the substitution of the borough of South Shields for the borough of Newcastle-upon-Tyne.

8. The costs, charges, and expenses of and preliminary and incidental to the several first and annual elections aforesaid shall be paid by the Commissioners out of money coming to their hands under this Order. Costs of Elections.

9. The Commissioners Clauses Act, 1847, as far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order (this Order being deemed "the Special Act," and the execution of the powers of this Order being deemed "the undertaking"), and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions: Incorporation of parts of 10 & 11 Vict. c. 16.

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade or elected by Pilots or by Shipowners) unless he is seised or possessed of property to the value or amount of 500*l.*:

(2.) Sections twenty-three to thirty-five, both inclusive, of the last-mentioned Act shall not be incorporated with this Order:

(3.) With reference to section thirty-six of the same Act, the first meeting of the Commissioners shall be held within seven days after the completion of the several first elections under this Order:

(4.) With reference to section thirty-nine of the same Act, the prescribed number (constituting a quorum) of the Commissioners shall be seven:

(5.) With reference to section forty of the same Act, the annual meeting of the Commissioners shall be held on or within one week after the 1st day of October in each year:

(6.) Section fifty-four of the same Act shall not be incorporated with this Order:

(7.) With reference to section ninety of the same Act, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed:

(8.) With reference to section ninety-two of the same Act, the Commissioners shall from time to time appoint a permanent auditor of the accounts of the Commissioners:

(9.) With reference to the provisions of the same Act with respect to the making of byelaws, licensed pilots under this Order shall be deemed officers of the Commissioners; all byelaws shall be printed, and copies shall be always obtainable by purchase; any byelaws shall not have effect unless and until they are approved by the Board of Trade.

10. The pilotage district of the Tyne shall, for the purposes of this Order, be deemed to include the whole of the river Tyne, and to extend seaward over a radius of seven miles. Definition of Tyne Pilotage district.

11. The

Transfer of Jurisdiction to Commissioners.

11. The jurisdiction in pilotage matters within the district aforesaid now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order.

Continuance of existing licences.

12. All Pilots licensed for the Tyne or its entrance by the Trinity House of Newcastle-upon-Tyne at the commencement of this Order shall be entitled to continue to act as such Pilots under the Commissioners incorporated by this Order for one year after the commencement of this Order, without further licence or payment in respect of that year, but in all other respects shall become and be subject to the authority of the Commissioners and the provisions of this Order, as if they had been severally licensed originally under this Order.

Examination and licensing of Pilots.

13. The Commissioners shall examine every person who applies to them for a Pilot licence, for the purpose of ascertaining his skill, knowledge, and experience in relation to the navigating, piloting, and conducting of vessels into, out of the, and within the said district, or any part or parts thereof, and may, if they think fit, license and authorize by writing any person examined and found qualified to act in the capacity of Pilot for navigating, piloting, and conducting vessels as aforesaid, provided he has served five years in the pilot service

Licence and renewal fees.

14. Every Pilot to be licensed under this Order shall, on receiving his licence from the Commissioners, pay to them, or to their Clerk for the time being for their use, the sum of forty shillings for such his licence; and every Pilot licensed for the district aforesaid, or any part thereof, by the Trinity House of Newcastle-upon-Tyne at the commencement of this Order, or to be licensed under this Order, shall annually pay to the Commissioners, or to their Clerk for the time being for their use, the sum of ten shillings for the renewal of his licence; provided that the Commissioners may from time to time increase or diminish the said licence and renewal fees, or either of them, subject to the approval of the Board of Trade.

Pilotage dues.

15. The following Pilotage rates shall be paid, namely,—

From and including the 1st day of April to the 1st day of October in each year, one shilling and threepence for every foot of water which any ship or vessel shall draw, and from and including the 1st day of October to the 1st day of April in each year, one shilling and sixpence for every such foot of water;

And such pilotage dues shall be paid to the Commissioners or to the Pilot performing such Pilotage duty within five days after the performance thereof; provided that the Commissioners may from time to time increase or diminish the said Pilotage dues, subject to the approval of the Board of Trade.

Pilotage not compulsory.

16. Nothing in this Order shall extend to oblige the Owner or Master of any vessel to employ or make use of any Pilot in piloting or conducting such vessel

vessel into or out of the said district or within any part thereof, if he is not desirous so to do, or to pay any Pilotage dues when not employing or making use of a Pilot.

Transfer of pilotage money to Commissioners.

17. All money standing in the books of the Trinity House of Newcastle-upon-Tyne to the credit of or lawfully applicable to the Tyne Pilotage District hereby transferred to the Commissioners, and also all money held by the said Trinity House for or on behalf of the Sea Pilots or the River Pilots of the said District, at the commencement of this Order, shall be paid to the Commissioners incorporated by this Order.

Expenses of Order.

18. The costs, charges, and expenses of the promoters of this Order, and of the Master Pilots and Seamen of the Trinity House of Newcastle-upon-Tyne in relation to this Order, and of the proceedings consequent thereon in Parliament, including the costs, charges, and expenses incident to the application for and obtaining the Order of the Board of Trade, and the proceedings relating thereto in the last Session of Parliament, shall be paid by the Commissioners out of the first monies coming to their hands under the provisions of this Order.

Compensation in respect of differential dues for the District to be paid to the Commissioners.

19. All compensation money payable by the Commissioners of Her Majesty's Treasury, under the provisions of section 12 of the 24 & 25 Vict. c. 47, to the said Trinity House of Newcastle-upon-Tyne for differential dues for pilotage payable in respect of the said district, shall, after the commencement of this Order, be paid to and received by the Commissioners.

Compensation to Officers no longer employed by Commissioners.

20. If the services of any persons at the commencement of this Order permanently employed by the Trinity House of Newcastle-upon-Tyne on duties connected with the pilotage within the Tyne Pilotage district are not continued by the Commissioners, the Commissioners shall grant compensation to such persons out of the monies to come into their hands by virtue of this Order, such compensation not to be granted except under such circumstances and to such an amount as might be granted under the Act or Acts for the time being in force with respect to compensation for abolition of office in the public Civil Service.

First meeting of Commissioners.

21. The first meeting of the Commissioners shall be held at such place as the Board of Trade shall appoint, and all subsequent meetings at such time and place as the Commissioners shall from time to time appoint.

Saving for effect of general Acts.

22. Nothing in this Order shall exempt the Commissioners or the Pilotage district aforesaid from the provisions of any general Act of Parliament, now in force or hereafter to be passed, relating to Pilotage or Pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on

shipping,

shipping, or on goods carried therein, or from any future revision and alteration, under the authority of Parliament, of the Pilotage dues authorized by this Order, or of the limits of the district defined by this Order

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CAP. XLV.

An Act to provide for the Collection by means of Stamps of Fees payable in the Superior Courts of Law at *Westminster*, and in the Offices belonging thereto. [19th *June* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-five, or from and after such earlier Time as the Commissioners of Her Majesty's Treasury, with the Concurrence of the Lord Chief Justices of the Courts of Queen's Bench and Common Pleas and of the Lord Chief Baron of the Court of Exchequer, by Notice published in the *London Gazette*, appoint, the following Fees shall be collected by Stamps; namely,—all Fees for the Time being payable in the several Courts and Offices, or to the several Officers, or in respect of the several Matters, specified in the First Schedule to this Act, whether under the several Enactments therein specified, or otherwise, and all Fees whatever for the Time being payable under any of those Enactments.

From and after Dec. 31, 1865, all Fees payable in Superior Courts to be collected by Stamps.

2. All or any Stamps to be used under this Act shall be impressed or adhesive, as the Commissioners of Her Majesty's Treasury from Time to Time direct.

Stamps to be impressed or adhesive.

3. The

General Rules to be made by Treasury.

3. The Commissioners of Her Majesty's Treasury, with the Concurrence of the Lord Chief Justices and Lord Chief Baron, may from Time to Time make such Rules as seem fit for regulating the Use of Stamps under this Act, and particularly for prescribing the Application thereof to Documents from Time to Time in use or required to be used for the Purposes of such Stamps, and for insuring the proper Cancellation of adhesive Stamps and keeping Accounts of such Stamps.

Documents not properly stamped to be invalid.

4. Any Document which ought to bear a Stamp under this Act shall not be of any Validity unless and until it is properly stamped; but if any such Document is through Mistake or Inadvertence received, filed, or used without being properly stamped, a Judge of One of the said Courts may, if he thinks fit, order that the same be stamped as in such Order may be directed, and on such Document being stamped accordingly the same and every Proceeding relative thereto shall be as valid as if such Document had been properly stamped in the first instance.

Nothing to interfere with Powers of Treasury, &c. for Alteration of Fees, &c.

5. Nothing in this Act shall interfere with the Exercise by any of the Judges of the said Courts, or by the Commissioners of Her Majesty's Treasury, or by any other Authority, of any Power of altering or otherwise regulating the Amount of any Fees comprised in this Act, or of any Salaries or other Charges for the Time being by Law payable thereout or charged thereon, or of directing that any Fees comprised in this Act shall cease to be applicable to any Charges or Payments charged thereon or payable thereout, and shall be from Time to Time paid into the Receipt of the Exchequer, and be carried to and form Part of the Consolidated Fund of the United Kingdom.

Payment of Salaries, &c. out of Money received for Stamps.

6. The Commissioners of Inland Revenue shall keep a separate Account of all Money received in respect of Stamps under this Act; and, subject to the Deduction out of the Money so received of any Expenses incurred by the Commissioners of Inland Revenue in the Execution of this Act, and to the Payment or Discharge thereout, in such Manner as the Commissioners of Her Majesty's Treasury from Time to Time direct, of Salaries or other Charges for the Time being by Law charged on or payable out of any Fees comprised in this Act, the Money so received shall, under the Direction of the Commissioners of Her Majesty's Treasury, be carried to and shall form Part of the said Consolidated Fund.

Accounts to be laid before Parliament.

7. The Account so kept by the Commissioners of Inland Revenue for every Year ending the Thirty-first Day of *March*, together with an Account for every such Year, prepared under the Direction of the Commissioners of Her Majesty's Treasury, showing the Salaries and other Charges now or formerly charged on

or

or payable out of any Fees comprised in this Act, and for the Time being in pursuance of any Act paid out of the said Consolidated Fund, or out of Money provided by Parliament, and also showing all other Charges in respect of the said Courts and their several Offices for the Time being paid out of the said Consolidated Fund or out of Money provided by Parliament, by way of Salary, Compensation, or otherwise, shall be laid before both Houses of Parliament within One Month after the Termination of such Year of Account, if Parliament is then sitting, or if not, then within One Month after the next meeting of Parliament; and the Second of such yearly Accounts and every subsequent Account shall show the Items for Two consecutive Years, and the Increase or Decrease of any of those Items in the Second of those Years as compared with the First.

8. From and after the Time appointed for the Commencement of the Collection of Fees by means of Stamps under this Act, the Acts described in the Second Schedule to this Act shall be repealed to the Extent in that Schedule specified. Repeal of Enactments in Second Schedule.

9. This Act may be cited as The Common Law Courts (Fees) Act, 1865. Short Title.

The FIRST SCHEDULE.

15 & 16 Vict. c. 73. s. 10. (7 Will. 4. & 1 Vict. c. 30. 18 & 19 Vict. c. 126. s. 20.)	The Superior Courts, and their several Offices, Judges Chambers, and Clerks of Assize acting as Associates on Circuits.
6 & 7 Vict. c. 20. s. 15. (23 & 24 Vict. c. 54.)	Crown Office, Queen's Bench.
17 & 18 Vict. c. 36. ss. 3, 4, 5.	Registration of Bills of Sale, Queen's Bench.
3 & 4 Will. 4. c. 74. s. 89. 5 & 6 Will 4. c. 82. s. 6. 13 & 14 Vict. c. 75. (17 & 18 Vict. c. 75. 20 & 21 Vict. c. 57.—as to England. 25 & 26 Vict. c. 67. s. 36. 25 & 26 Vict. c. 96.)	Registration of Certificates, &c. of Acknowledgments of Deeds of Married Women, &c., Common Pleas.
1 & 2 Vict. c. 110. s. 19. 2 & 3 Vict. c 11 ss. 2, 4, 7, 8, 9. 13 & 14 Vict. c. 75. 18 & 19 Vict. c. 15.—as to Common Pleas. 23 & 24 Vict. c. 115. s. 2. (3 & 4 Vict. c. 82. 13 & 14 Vict. c. 35. s. 17. 16 & 17 Vict. c. 107. ss. 195–7.—as to England. 22 & 23 Vict. c. 35. s. 22. 23 & 24 Vict. c. 38. s. 4. 24 & 25 Vict. c. 134. s. 213. 25 & 26 Vict. c. 89. s. 114.) 27 & 28 Vict. c. 112. s. 3.	Registration of Judgments, Crown Debts, &c., Common Pleas.
5 & 6 Vict. c. 86. s. 4. (22 & 23 Vict. c. 21. ss. 1–4.)	Queen's Remembrancer's Office.

The

The SECOND SCHEDULE.

Session and Chapter.	Title.	Extent of Repeal.
5 & 6 Vict. c. 86. -	An Act for abolishing certain Offices on the Revenue Side of the Court of Exchequer in England, and for regulating the Office of Her Majesty's Remembrancer in that Court.	Section Five.
6 & 7 Vict. c. 20. -	An Act for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office.	Section Twelve.
13 & 14 Vict. c. 75.	An Act to regulate the Receipt and Amount of Fees receivable by certain Officers in the Court of Common Pleas.	Section One.
15 & 16 Vict. c. 73.	An Act to make Provision for a permanent Establishment of Officers to perform the Duties at Nisi Prius in the Superior Courts of Common Law, and for the Payment of such Officers and of the Judges Clerks by Salaries, and to abolish certain Offices in those Courts.	Sections Fourteen and Twenty-nine.

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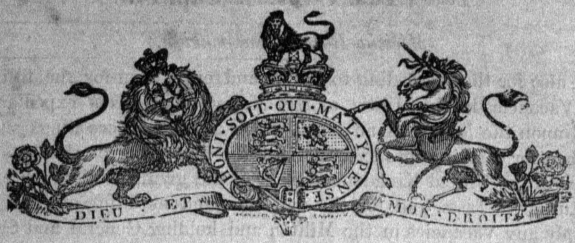

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and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in the United Kingdom relating to the giving Notices for and Returns for Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties, Shires, Cities, and Places in the United Kingdom; and all the Provisions of the several Acts in force in the United Kingdom relating to the Militia shall, upon any such Order, and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Periods specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia.

So long as Lists are suspended, not necessary to transmit Extracts, &c. as required by Sect. 3. of 7 G. 4. c. 58.

3. So long as the making of Lists and the Ballots for the Militia of *Great Britain* are suspended it shall not be necessary for the Clerks of General Meetings of the several Counties therein to transmit to the Clerks of the Subdivision Meetings, or to Her Majesty's Principal Secretary of State for the War Department, the Extracts and Abstracts mentioned and referred to in Section Three of Seventh *George* the Fourth, Chapter Fifty-eight.

Not to extend to prevent the holding of certain Meetings relating to the Militia.

4. Provided also, That nothing herein contained shall extend to prevent the holding before the Expiration of such Period as aforesaid of such General or other Meetings relating to the Militia of the United Kingdom as may be called in *Great Britain* under the Authority of One of Her Majesty's Principal Secretaries of State, or in *Ireland* under the Authority of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or of any Meeting which may be called for the Purpose of altering, enlarging, or providing any Place for the Reception of the Arms, Accoutrements, Clothing, or other Stores belonging to the Militia.

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CAP. XLVII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. [19th *June* 1865.]

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expenses of the Regular Militia, including the Miners of *Cornwall* and *Devon*, when disembodied, in *Great Britain* and *Ireland*, and for making in certain Cases Allowances of Retired Pay to Subaltern Officers and Surgeons Mates and Assistant Surgeons of the Regular Militia, and of the Miners of *Devon* and *Cornwall*, also to Adjutants, Paymasters, Surgeons, and Quartermasters of the Regular Militia, who have been allowed to retire, and to Adjutants disabled after long Service:

Militia Pay.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary of State for War to issue the Money required for Pay, &c. of Regular Militia, as herein stated.

1. The Secretary of State for War for the Time being shall cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied) in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the Permanent Staff of the said Regular Militia at the daily Rates following; (that is to say,)

	Infantry.			Artillery.		
	£	s.	d.	£	s.	d.
For each Adjutant - - - -	0	10	0	0	10	0
„ Quartermaster, where One is appointed in Corps consisting of not less than 360 Private Men - - - -	0	5	0	0	5	0
and of less than 360 Private Men -	0	3	6	0	3	6
„ Serjeant Major, where One is appointed in Corps consisting of Two or more Companies - - - -	0	3	0	0	3	6
„ Quartermaster Serjeant (in Corps whose Establishment exceeds Four Companies)	0	2	6	0	2	10
and for the Serjeant performing the Duty of both Quartermaster Serjeant and Paymaster Serjeant (in Corps consisting of Four Companies or less) - -	0	2	6	0	2	10
„ Serjeant Instructor of Musketry or Gunnery	0	1	10	0	2	6
„ Paymaster Serjeant (in Corps whose Establishment exceeds Four Companies) -	0	1	10	0	2	6
„ Serjeant, Orderly Room Clerk, Drum Major, or Bugle Major - - -	0	1	10	0	2	6
„ Drummer, Trumpeter, Bugler, or Fifer above Sixteen Years of Age - -	0	1	1	0	1	3
and if under Sixteen Years of Age -	0	0	10	0	0	10

Provided always, that when any Non-commissioned Officer or Man on the Permanent Staff shall be absent on Furlough or Licence, he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively:

And also at Rates varying from Two Shillings to Sixpence *per Annum* for each Private Man for defraying the contingent Expenses of each Regiment, Battalion, or Corps, when enrolled:

And the Secretary of State for War for the Time being shall give the necessary Instructions for the Provision of Clothing for each Non-commissioned Officer or Man on the Permanent Staff of the Militia of *Great Britain* and *Ireland* who shall be resident at Head Quarters, and the said Permanent Staff shall be entitled to be clothed once in Two Years.

Members of the Permanent Staff

2. Except when employed as herein-after provided, every Member of the Permanent Staff of the Regular Militia, when disembodied,

disembodied, shall reside in such Places as shall be sanctioned by the Secretary of State for War, and every such Member shall forfeit his Pay for any Period during which he shall be absent, except when employed as herein-after provided, or when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers and Men at the same Time.

to reside where the Secretary of State for War shall appoint.

3. Every Member of the Permanent Staff, when not called out for Training or Exercise, shall be liable to be employed within the County to which the Regiment, Battalion, or Company of the said Militia Staff belongs, under the Officers appointed to pay and superintend the Out-Pensioners of *Chelsea Hospital*, in such Manner as One of Her Majesty's Principal Secretaries of State may determine: Provided always, that the Senior Officer shall have the Command of the Force so employed.

And may be employed in their Counties.

4. The Quartermaster of each Regiment of Militia in which a Quartermaster is appointed and receives daily Pay under the Provisions of the First Section of this Act, and when no Quartermaster is appointed, then the Adjutant of each Regiment of Militia, shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores thereof, under the Superintendence of the Colonel or Commandant; and the Adjutant shall, out of the Allowance directed by this Act to be issued and paid for defraying the contingent Expenses of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expenses, upon an Order in Writing signed by the Colonel or other Commandant; and after Payment of such Sums as aforesaid he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps), and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts, so allowed and signed, shall be the proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money: Provided always, that it shall and may be lawful for the Secretary of State for War to order and direct that the Arms, Accoutrements, and other Stores, or any Part thereof, belonging to any Regiment, Battalion, or Corps of Militia of the United Kingdom shall at any Time,

Quartermaster, &c. to have Charge of the Arms and Clothing.

Adjutant to issue the Money for contingent Expenses on an Order signed by the Colonel.

Balance to form a Stock Purse.

Power to Secretary of State for War to order Arms, &c. to be deposited in War Office

Stores, while disembodied.

Time, while such Regiment, Battalion, or Corps shall not be embodied or in actual Service, be conveyed to and deposited and kept in any of Her Majesty's War Office Stores.

In Absence of the Adjutant, the Serjeants to be under the Command of the Quartermaster, and, in his Absence, of the Serjeant Major.

5. In the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Permanent Staff is quartered, or during any Vacancy in the Appointment of Adjutant, the Permanent Staff shall be under the Command of the Quartermaster in Cases in which One is appointed, and when no Quartermaster is appointed or is present, then under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant and Quartermaster; and the said Quartermaster and Serjeant Major or acting Serjeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

Persons receiving Pay as Members of Permanent Staff of Militia to be subject to Mutiny Act.

6. All Persons receiving Pay as Members of the Permanent Staff of any Militia Regiment shall be subject to the Provisions of the Mutiny Act and Articles of War for the Time being in force, and shall be entitled to be billeted in like Manner as Officers and Soldiers of Her Majesty's Army, and the Innkeepers and others who are liable to have Officers and Soldiers billeted on them shall provide the Members of the Permanent Staff with convenient Lodging, Fire, and Candle, and in default thereof be liable to the Penalties imposed upon Civil Subjects offending against the Laws relating to Billets, as prescribed by the Mutiny Act for the Time being in force.

Militia when called out for Training or Exercise entitled to Pay, &c. as herein stated.

7. The Officers and Volunteer Non-commissioned Officers and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the following daily Rates of Pay and Allowances:

	Infantry.			Artillery.		
	£	s.	d.	£	s.	d.
Colonel	1	2	6	1	2	6
Lieutenant-Colonel	0	15	11	0	15	11
Major	0	14	1	0	14	1
Captain (including non-effective Allowance)	0	10	6	0	10	6
Lieutenant	0	6	6	0	6	6
Ensign	0	5	3	0	5	3
Adjutant, if acting also as Paymaster in Corps consisting of Four Companies and upwards	0	3	9	0	3	9
if acting also as Paymaster in Corps consisting of less than Four Companies	0	2	6	0	2	6

Militia Pay.

	Infantry. £	s.	d.	Artillery. £	s.	d.
Adjutant, if acting also as Paymaster and Quartermaster in Corps consisting of Four Companies and upwards - - -	0	7	0	0	7	0
" if acting also as Paymaster and Quartermaster in Corps consisting of less than Four Companies - - -	0	4	6	0	4	6
Quartermaster (if not holding a Subaltern's Commission, nor on the Permanent Staff)	0	6	6	0	6	6
" (if holding a Subaltern's Commission, and if not on the Permanent Staff)	0	3	6	0	3	6
" (if on the Permanent Staff in Corps of not less than 360 Private Men)	0	1	6	0	1	6
" (if on the Permanent Staff in Corps of less than 360 Private Men) -	0	3	0	0	3	0
Surgeon - - - - - -	0	11	4	0	11	4
Assistant Surgeon - - - -	0	7	6	0	7	6
Serjeant Instructor of Musketry or Gunnery, in addition to the daily Rate of Pay granted by Sec. 1.	0	1	0	0	1	0
Serjeant (not on the Permanent Staff) - -	0	1	6¾	0	2	6
Corporal - - - - - -	0	1	2¼	0	1	4¼
Private - - - - - -	0	1	0	0	1	2
Command Allowance to the Officer actually in Command during Training and Exercise, if the Pay of Colonel is not drawn - - - -	0	3	0	0	3	0
Beer Money to each Non-commissioned Officer, Drummer, and Man (including the Permanent Staff, present at Training and Exercise - -	0	0	1	0	0	1

Volunteers punished for Absence from Training, and shall afterwards serve for an additional Period, to receive the Bounty under 15 & 16 Vict. c. 50.

8. Whenever a Volunteer who has been punished for Absence from any annual Training shall subsequently thereto serve for an additional Year or Years for any annual Period or Periods of Training and Exercise from or during which he absented himself, he shall be entitled to receive the same Bounty which, under the Regulation under the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty, would have been payable to him during or in respect of Attendance at Training and Exercise.

Volunteers attached to Regiments of the Line to be subject to the Mutiny Act.

9. Volunteers shall, with the Sanction of the Secretary of State for War, when attached to Regiments of the Line to qualify themselves for the Permanent Staff, be allowed Pay whilst so under Instruction, but while they remain so attached they will be under the Command of the Officer commanding the Regiment of the Line equally with the Soldiers of that Regiment, and will be subject to the Provisions of the Mutiny Act.

Volunteers may be transferred to another Regiment without being re-sworn.

10. Volunteers may, if they desire, be transferred to another Regiment, with the Consent of the Commanding Officers of both Regiments, whether of *Great Britain* or *Ireland*, without being required to take any Oath other than that which they took on their original Enrolment.

11. And

Militia Pay.

Certain Officers unfit for Duty entitled to a retired Allowance, upon making the following Declaration.

11. And whereas certain Lieutenants, Ensigns, and Surgeons Mates of the Militia of *Great Britain*, or Subaltern Officers and Assistant Surgeons of the Militia of *Ireland*, when unfit for further Duty, have been placed upon a retired Allowance equal to and instead of the Allowance granted to them on the disembodying of the Militia at the Termination of the War in the Year One thousand eight hundred and fifteen: And whereas certain Paymasters, Surgeons, and Quartermasters, when unfit for Duty, have also been placed on a retired Allowance equal to and instead of their reduced Allowances granted to them in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth: All such Paymasters, Surgeons, Quartermasters, Subalterns, Surgeons Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowances, shall make and subscribe the following Declaration; (*videlicet,*)

Form of Declaration.

'I do solemnly and sincerely declare, That I
'formerly served as a in the
'Militia; that I am not in Holy Orders; and that from the
'Day of to the Day of
'I did not hold or enjoy any Place or Employment of Profit, Civil
'or Military, under Her Majesty, or in the Colonies or Possessions
'of Her Majesty beyond the Seas, or under any other Government,
'besides my Allowance of per Diem as a of the
'said Militia, except my Half Pay or Civil Pension as a

Out-Pension to reduced Non-commissioned Officers and Drummers not to be received while serving.

12. And whereas certain Non-commissioned Officers and Drummers of the Militia of the United Kingdom of *Great Britain* and *Ireland* have, on the Reduction of the Establishment of the Disembodied Staff, been placed on the Out-Pension, although not unfit for further Service: No Non-commissioned Officer or Drummer so placed on Pension shall be entitled to receive the said Pension for any Period during which he shall be receiving Pay in the Militia.

Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training.

13. Provided always, That any Person, being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of Her Majesty's Regular Forces or Navy or Marines, and serving in the Militia, may receive the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training; and the receiving any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon shall not prevent such Person on Half Pay, or being entitled to any such Allowance,

Allowance, from receiving his Half Pay or such Allowance: Provided also, that such Person shall, in the Declaration to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

14. Provided always, That no Member of the Permanent Staff in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

Members of the Permanent Staff, &c. not to lose their Right to Chelsea or Kilmainham Pensions, &c.

15. There shall be granted for each Regiment of Regular Militia a Sum of Money after the Rate of One Guinea for every One hundred Rank and File effective Men during the Period of Training and Exercise, for the Expense of necessary Medicines for the sick Non-commissioned Officers and Men thereof, including the Non-commissioned Officers and Men of the Permanent Staff and their Wives and Families, and also an Allowance of Twopence *per* Week, excluding the Period of Training and Exercise, for the Expenses of necessary Medicines and Attendance for the sick Non-commissioned Officers and Men of the Permanent Staff and their Wives and Families while such Regiment is not called out for Training and Exercise.

Allowance to be made for Medicines.

16. In case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as was or shall be actually serving as Adjutant to such Regiment, Battalion, or Corps at the Time of Reduction, from the Thirty-first Day of *July* One thousand eight hundred and sixty-five, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Thirty-first Day of *July* One thousand eight hundred and sixty-six, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia by reason of

Reduced Adjutants to receive 4s. per Day till 31st July 1866.

Right to Half Pay reserved.

of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Allowances to Adjutants, Surgeons, and Quartermasters.

17. And whereas certain Allowances have been granted in pursuance of former Acts to Adjutants, Surgeons, and Quartermasters of Regular Militia who have by Age or Infirmity been rendered unfit for further Service: Such Allowances shall be issued and paid, during the Continuance of this Act, in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Allowances granted to Adjutants on Completion of certain Periods of Service.

18. The following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britain* and *Ireland*, on the Completion of the following Periods of Service in Her Majesty's Regular or *Indian* Forces, or in the Army of the *East India* Company, and in the Militia, if unfit, either by Age or Infirmity, for the Performance of the Duties of their Commissions; (that is to say,)

To every Adjutant who shall have completed in the Service a Period of, (*videlicet*,)

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of Three Shillings *per Diem*:

Twenty Years, of which Seven Years as an Adjutant of Militia, an Allowance of Four Shillings *per Diem*:

Twenty-five Years, of which Ten Years as an Adjutant of Militia, an Allowance of Five Shillings *per Diem*:

Thirty Years, of which Fifteen Years as an Adjutant of Militia, an Allowance of Six Shillings *per Diem*:

Provided that such Adjutants shall retain any Right they may have to Half Pay or to Out-Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary of State for War of a Certificate of such Service and Disability; and upon the Order of the Secretary of State for War, founded upon such Certificate, the Paymaster General shall pay to such Adjutant the above Allowance: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under Her Majesty or any other Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government,

Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases the Royal Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary of State for War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty-nine to any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment.

Restrictions as to Allowances to reduced Adjutants of the Local Militia.

19. And whereas certain Allowances have been granted to reduced Adjutants of the Local Militia: The said Allowances shall be issued and paid during the Continuance of this Act, under the Restrictions and in the Manner herein-after expressed: Provided always, that in the Cases in which any such Local Militia Adjutants have been permitted to receive the said Allowances whilst holding any Civil Offices under the Crown, to which Offices they had been appointed previously to the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, it shall be lawful to continue the Payment of the said Allowances under the same Regulations and Restrictions as those under which the Permission was originally granted.

A Declaration to be taken by Adjutants of Local Militia claiming the said Allowance.

20. Every Adjutant of Local Militia who shall claim under the Authority of this Act to receive any Part of the said Allowance shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace in the United Kingdom, or Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (that is to say,)

'I *A.B.* do solemnly and sincerely declare, That I was serving as
' Adjutant in the of Local Militia at the Reduction
' of the Staff of the said Militia in One thousand eight hundred and
' twenty-nine; and that I was not in Holy Orders during any Part
' of the Period for which I now claim to receive an Allowance, that
' is to say, from the Day of One thousand
' eight hundred and to the Day of
' One thousand eight hundred and ; and that I did not
' hold

'hold or enjoy, nor did any Person for me hold or enjoy, during 'any Part of the said Period, any Place, Office, or Employment of 'Profit, Civil or Military, under the Crown or any other Govern- 'ment, besides the Allowance of a Day now claimed, 'except my Half Pay as a [of the Army *or* Navy 'or Marines, *or* of a Provisional Battalion formed from the Militia, '*as the Case may be*].'

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Adjutant claiming the Allowance: Provided always, that any Adjutant receiving such Allowance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of Her Majesty's Regular Forces, or Navy or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Allowance to Clerks of General Meetings, &c.

21. Where the Militia is raised by Ballot in *Great Britain* Allowances shall be made and issued to the Clerks of General and Subdivision Meetings of Lieutenancy and others mentioned in Schedule A. to this Act for their Trouble and Expenses in the Execution of the Laws relating to the Militia at the Rates mentioned in the same Schedule; and where the Militia is raised in the United Kingdom otherwise than by Ballot, Allowances shall be made and issued to the Clerks of General Meetings for their Trouble and Expenses in the Execution of such Laws at the Rates mentioned in the Schedule B. to this Act.

Manner of granting Allowances.

22. The said Allowances shall be granted as follows; (*videlicet*,) the Account shall be certified by the Lieutenant of the County, Stewartry, City, or Place, or by Two or more Deputy Lieutenants acting for such County, Stewartry, City, or Place, or by the Lord Warden of the Stannaries of *Cornwall* and *Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall* and *Devon*; and the Clerks of General and Subdivision Meetings in *Great Britain*, and the Schoolmasters, Constables, and other Officers in *Scotland*, shall make a Declaration as to the Justness of the Accounts, in the following Terms respectively, before some Justice of the Peace; (*videlicet*,)

Clerks, &c. to make Declaration of the Justness of their Accounts.

Declaration of a Clerk of General or Subdivision Meetings.

'I do solemnly declare, That the preceding Account, 'so far as regards my Interest therein, is a just and true Account 'of Business performed by me for and in behalf of the Public 'Service according to the Manner therein set forth; and the Sums 'claimed as disbursed were actually paid by me.'

Declaration

Declaration of a Schoolmaster, Constable, or other Officer in Scotland.

'I do solemnly declare, That I am the Parochial 'Schoolmaster [*or* Constable *or other Officer*] of the District 'of in the Subdivision of the County 'of ; and that the preceding Account is a just and 'true Account of Business actually performed by myself for and in 'behalf of the Public Service according to the Manner therein set 'forth; and that I was employed on such Business the full Time 'therein stated; and that the Sums claimed as disbursed were 'actually paid by me.'

And the said Accounts shall be transmitted to the Secretary of State for War, who is hereby empowered to issue the Allowances according to the Rates specified in the respective Tables to this Act annexed, or such Sums as he shall think reasonable and proper.

23. And whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from compulsory Service in the Militia by reason of bodily Infirmity, and upon the Fitness for Service of the Persons presenting themselves for Enrolment: It shall be lawful for any Two Deputy Lieutenants and they are hereby empowered and required to summon, by Two Days previous Notice in Writing, any competent Surgeon residing at or nearest to the Place where any Meeting for Appeals or Enrolment shall be held to attend at such Meeting; and every such Surgeon shall, before he begins any such Examination, make the following Declaration, which Declaration any Deputy Lieutenant is hereby authorized to administer; (*videlicet*,)

Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.

'I do solemnly declare, That I will, to the best of 'my Ability, faithfully and truly report as to the Fitness for 'Service of the Man or Men about to be submitted to my Exami-'nation, and that I will not receive from any of them any Fee or 'Reward whatever for any such Examination.'

Declaration to be made by Surgeon.

And every such Surgeon shall receive for each Day's Attendance at such Meeting a Sum not less than Half a Guinea nor exceeding Two Guineas, according to the Extent of the Duty performed: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be recommended by the Deputy Lieutenants of the respective Subdivisions shall be transmitted to the Secretary of State

Allowance to Surgeon.

State for War, with the Accounts of the Lieutenancy Clerks, for Examination and Payment.

Pay, &c. to be issued under Direction of the Secretary of State for War.

24. All Sums of Money granted for the Pay, contingent and other Expenses, and for the Allowances to the Officers and Men of the Regular and Local Militia, when disembodied, shall be issued and paid under the Direction of the Secretary of State for War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head.

Bills drawn for Pay, &c. may be on unstamped Paper.

25. All Bills, Drafts, and Orders drawn for Pay or Allowances under this Act may be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper.

No Fee to be taken.

26. No Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

All Things in this Act relating to Counties shall extend to Ridings, Shires, &c.

27. All Things in this Act contained relating to Counties, and to Regiments of Militia respectively, shall be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*.

Continuance of Act.

28. This Act shall take effect and continue in force from the Thirty-first Day of *July* One thousand eight hundred and sixty-five until the First Day of *September* One thousand eight hundred and sixty-six.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE A.

SCALE of RATES of REMUNERATION to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into execution the Acts relating to the Militia when the Militia are raised by Ballot.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.

	£	s.	d.
1. For Trouble in calling a General Meeting by Circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) -	0	7	6
2. For attending General Meetings at which the Statutory Quorum of Lieutenancy shall be present, each - -	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants - - - -	1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.			
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets, and the Stannaries of Cornwall and Devon, to return Lists, each	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland to return Lists, each - - - - - - - -	0	0	6
4. For writing the annual Advertisements for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the Parochial Lists and hearing Appeals - - - - -	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof, Schedule (D.), for the Privy Council and Her Majesty's Principal Secretary of State for the War Department (the latter Copy to be annexed to the Clerk's Accounts as a Voucher); videlicet,			
In Counties furnishing a Quota of 200 Men or under in the original Number of the Militia - - -	2	2	0
In Counties furnishing from 201 to 400 Men - -	3	3	0
Ditto - - from 401 to 600 Men - -	4	4	0
Ditto - - from 601 to 800 Men - -	5	5	0
Ditto - - from 801 Men and upwards -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the Regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men or under -	1	1	0
Ditto - - - from 201 to 400 Men -	2	2	0
Ditto - - - from 401 to 600 Men	3	3	0
Ditto - - - from 601 to 800 Men -	4	4	0
Ditto - - - from 801 Men and upwards	5	5	0

Militia Pay.

	£	s.	d.
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment, Schedule (E.):			
For engrossing 50 Names and under - - -	0	5	0
Ditto - 51 to 150 Names - - -	0	10	0
Ditto - 151 to 250 Names - - -	1	0	0
Ditto - 251 Names and upwards - - -	1	10	0
8. For drawing out fair Copy of the Lord Lieutenant's annual Return of the Militia for the County, containing the Number, Names, and Rank of the Officers, and the Number of the Non-commissioned Officers, Drummers, and Private Men:			
In Counties furnishing One Regiment, Battalion, or Corps - - - - -	0	15	0
Ditto - Two - Ditto - -	1	10	0
Ditto - Three - Ditto - -	2	0	0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.			
Note.—This Allowance is of course only chargeable by the General Clerks for those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.			
9. For Stationery:			
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - - - - -	2	0	0
Ditto - from 301 to 600 Men - -	3	0	0
Ditto - from 601 to 900 Men - - -	4	0	0
Ditto - from 901 Men and upwards - -	5	0	0
10. For Copyings, Correspondence, &c. &c.:			
To the Clerk of the General Meetings in a County where the Number of the original Quota of the Militia is 200 Men or under - - - - -	2	0	0
In a County furnishing from 201 to 400 Men - -	3	0	0
Ditto - - from 401 to 600 Men - -	4	0	0
Ditto - - from 601 to 800 Men - -	5	0	0
Ditto - - from 801 Men and upwards -	6	0	0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account, specifying each Article of Postage, &c., certified specially by the Lieutenancy, whose Certificate shall state that the same were necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			

TRAINING AND EXERCISE.

12. For filling up printed Notices to the Clerks of Subdivision Meetings of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice . - - -	0	0	6
13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for Her Majesty's Secretary of State for the Home Department, in Counties in England and			

	£	s.	d.
Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion - - -	1	0	0
In Counties in England, Wales, and Scotland furnishing One Regiment, Battalion, or Corps - -	2	0	0
Ditto - Two - Ditto	3	0	0
Ditto - Three - Ditto - -	4	0	0

BENGAL SECRETARIAT LIBRARY.

ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.

14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing Advertisement - - - -	0	5	0
Or for calling a Meeting by Circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft,) for each Letter -	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present; videlicet, For receiving Lists and hearing Appeals, For balloting, For enrolling, And for the Meeting held to apportion the Deficiencies among the Parishes, et cetera, when necessary to be done; and also for calling out the Quota or Apportionment of the Subdivision to be trained and exercised, which Allowance shall be in full for engrossing Minutes and making up Lists - - -	2	2	0
And for each Meeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists - -	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenant -	0	15	0
16. For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon balloted Men, each Precept - -	0	0	6
And for filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept - -	0	0	6
17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the balloting, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men	£2 per 1,000		
18. For making out the annual Abstracts of Lists, Schedule (C.), for the Use of the Clerk of General Meetings, where the original Quota or Apportionment of the Subdivision is - - 50 Men and under - - -	2	2	0
Ditto from 51 to 150 Men - - -	3	3	0
Ditto from 151 to 250 Men - - - -	4	4	0
Ditto from 251 Men and upwards - - -	5	5	0

	£	s.	d.
19. For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County; (videlicet,)			
For a Roll containing 50 Names and under - -	0	5	0
Ditto from 51 to 150 Names - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 Names and upwards - -	1	0	0
20. For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under -	1	10	0
Ditto from 51 to 150 Men - -	2	0	0
Ditto from 151 to 250 Men - - -	2	10	0
Ditto from 251 Men and upwards - -	3	0	0
21. For Correspondence, Copyings, et cetera, to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under -	2	0	0
Ditto from 51 to 150 Men - -	3	0	0
Ditto from 151 to 250 Men - - -	4	0	0
Ditto from 251 Men and upwards - -	5	0	0

22. The actual Amount expended for printing and publishing Advertisements, for Postage, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary and actually performed.

The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.

23. For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, et cetera, within the Limits of the Subdivision, the various Forms of Schedules, et cetera:			
For a Subdivision furnishing 50 Men and under -	0	5	0
Ditto from 51 to 150 Men - -	0	10	0
Ditto from 151 to 250 Men - - -	0	15	0
Ditto from 251 Men and upwards - -	1	0	0

TRAINING AND EXERCISE.

24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 50 Names and under -	0	5	0
Ditto from 51 to 150 Names - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 Names and upwards - -	1	0	0

	£	s.	d.
And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivision of any County, Stewartry, City, or Place in Scotland, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 10 Names and under -	0	0	6
Ditto from 11 to 30 Names - -	0	1	0
Ditto from 31 to 50 Names - -	0	2	6
Ditto from 51 to 70 Names - -	0	4	0
Ditto from 71 to 100 Names - -	0	7	0
Ditto from 100 upwards - - -	0	10	0
25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise:			
For a Roll containing 20 Names and under - -	0	2	0
Ditto from 21 to 50 Names - -	0	5	0
Ditto from 51 to 150 Names - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 and upwards - -	1	0	0
26. For correcting the Books of Enrolment of the Subdivision so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain:			
For a Subdivision furnishing 50 Men and under -	0	5	0
Ditto from 51 to 150 Men - -	0	10	0
Ditto from 151 to 250 Men - - -	0	15	0
Ditto from 251 and upwards - -	1	0	0

ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.

27. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours - - -	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines - - - - -	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting -	0	10	0
30. For filling up and delivering Notices to balloted Men, per Day - - - - - - -	0	5	0
31. For Stationery, per Annum - - -	0	5	0

ALLOWANCES TO CONSTABLES IN SCOTLAND.

32. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours - - -	0	4	0
33. For making out Lists, for each Folio consisting of Sixty Lines - - - - -	0	1	0
34. For attending each Meeting of Lieutenancy, per Day -	0	4	0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day - - - - -	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum - - - -	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the CLERKS of GENERAL SUBDIVISION MEETINGS of LIEUTENANCY respectively.

37. When it is necessary to call the Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expenses not exceeding Ninepence per Mile, and the Expenses of Tolls and Ferry Money; but the Particulars of such Expenses shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's annual Account.

38. The Expense necessarily incurred for the Use of the Room at the Place of Meeting to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

SCHE-

SCHEDULE B.

SCALE of RATES of REMUNERATION to the Clerks of General Meetings for any Duty they may be required to perform under the Acts relating to the Militia, or by Her Majesty's Secretary of State, or (in Ireland) by the Lord Lieutenant, in execution of the Provisions of such Acts when the Militia is raised otherwise than by Ballot.

CLERKS OF GENERAL MEETINGS.

	Per Annum. £	s.	d.
For Trouble in executing the Duty required of them, including Copyings, Correspondence, and Stationery:			
In Counties where the Quota does not exceed 200 - -	15	0	0
Where the Quota is			
Above 200 and not exceeding 400 - - -	20	0	0
Above 400 and not exceeding 500 - - -	25	0	0
And where the Quota exceeds 500 the following Additions for every 100 or fractional Part of 100:			
Above 500 and not exceeding 1,000 - -	4	0	0
Above 1,000 and not exceeding 2,000 - -	3	0	0
Above 2,000 and not exceeding 3,000 - -	2	0	0
Above 3,000 and not exceeding 4,000 - -	1	10	0
Above 4,000 - - - - - -	1	0	0
For convening and attending any General Meeting summoned by the distinct Order of the Secretary of State, or (in Ireland) of the Lord Lieutenant - - - - - -	2	2	0

The actual Expense incurred in printing or advertising, and for Postage, may be charged.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

BENGAL SECRETARIAT LIBRARY

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CAP. XLVIII.

An Act to supply Means towards defraying the Expenses of providing Courts of Justice and the various Offices belonging thereto; and for other Purposes. [19th *June* 1865.]

WHEREAS a Bill has been or is about to be introduced into Parliament in the present Session by the Short Title of "The Courts of Justice Concentration (Site) Act, 1865," and the Purposes intended to be carried into effect by such Bill are the Acquisition of a Site capable of affording Accommodation to the Superior Courts of Law and Equity, the Probate and Divorce Courts, the High Court of Admiralty, and the various Offices belonging to the same, and to such other Courts for the Administration of Justice, and Offices connected therewith, as may be required: 28 Vict. c. 49.

And whereas it is expedient to make Provision for the Cost of acquiring such Site, and of the Erection thereon of suitable Buildings, with all proper Furniture and Conveniences, for such Courts and Offices; and also to make Provision for such other Changes incident to and consequential on the Removal of the existing Courts and Offices from the Sites now occupied by them as are herein-after mentioned:

 And

Courts of Justice Building.

And whereas it is expedient that the Cost of erecting the said Courts of Justice should be borne, as follows:

1st. By Money to be provided by Parliament to the Extent of the Value of Property surrendered, and of Relief to the Public by the Cessation of Rents now charged to the Public:

2dly. By a Contribution of One Million Stock, Part of a Sum of One million two hundred and ninety-one thousand six hundred and twenty-nine Pounds Ten Shillings and Fivepence Three Pounds *per Cent.* Stock, now standing in the Books of the Bank of *England* to the Credit of an Account intituled "Account of Securities purchased with Surplus "Interest arising from Securities carried to Account of "Monies placed out for the Benefit and better Security of "the Suitors of the High Court of Chancery," which has arisen from the Profit of Investments, made under the Authority of Parliament at the Risk of the Public, of unemployed Cash Balances paid into the High Court of Chancery on account of individual Suitors, and which is herein-after referred to as the Surplus Interest Fund:

3dly. By the Taxation of Suitors of the Courts other than the Court of Chancery to be accommodated in the said Building.

And whereas it is expedient that the Monies required from Time to Time for carrying into effect the Purposes of the said Site Act and this Act should be defrayed in the first instance out of Monies to be provided by Parliament:

And whereas the Capital of the aforesaid Surplus Interest Fund is ultimately liable to make good any Deficiency which may occur in the general Cash Balance remaining in the Court of Chancery from Time to Time for Payment of the Sums due to the Suitors of the said Court, and the same is, with other Funds in Chancery, also charged with the Payment of certain Compensations in the Nature of Life Annuities and other temporary Charges, and it is expedient that Provision should be made for such Liabilities and Charges in the Manner herein-after appearing:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title. 1. This Act may be cited for all Purposes as "The Courts of Justice Building Act, 1865."

2. "The

Courts of Justice Building.

2. "The Treasury" shall mean the Commissioners of Her Majesty's Treasury for the Time being, or any Two or more of them: Definition of Terms

"Suitors" shall mean and include not only Suitors in Courts but also all Persons proving Wills or conducting Business in any of the Courts or Offices to be accommodated in the said new Buildings other than and except Suitors in the Court of Chancery:

"Compensation Allowances" shall mean and include not only the Compensation Allowances charged on or payable partly or wholly out of the "Surplus Interest Fund" or the Interest or Dividends thereof or other Funds in Chancery and existing at the Time of the passing of this Act, but also the Salaries payable to the abolished Masters in Chancery and their Clerks and to the Master of the Reports.

Provision of Funds for Works.

3. All Sums of Money required from Time to Time for carrying into effect the Purposes of "The Courts of Justice Concentration (Site) Act, 1865," and for the Purpose of erecting upon the Site to be acquired under the same Act all such suitable Buildings for the Accommodation of the Superior Courts of Law and Equity, the Probate and Divorce Courts, and the Court of Admiralty, and the various Offices connected therewith, and of such other Courts for the Administration of Justice, and Offices connected therewith, or Offices used for any other Purpose of legal Administration, as may from Time to Time be prescribed by the Treasury, with all proper Furniture and Conveniences, and Accesses thereto, not exceeding in the whole One million five hundred thousand Pounds Cash, shall be provided in the first instance by Issues to be made to the Paymaster General by the Comptroller General of the Exchequer out of Monies to be provided by Parliament, and the Paymaster General shall keep a separate Account thereof. Advances to be made by the Paymaster General.

4. The Plan upon which the said Buildings shall be erected, and the necessary Arrangements for the proper and convenient Accommodation of all the Courts and Offices to be provided for therein, and for proper Accesses thereto, shall be determined upon by the Treasury, with the Advice and Concurrence of such Persons as Her Majesty shall think fit to authorize in that Behalf; and after the Completion of the said Buildings Her Majesty may, by Order in Council, from Time to Time nominate and appoint such Persons as She shall think fit, with such Powers to superintend and regulate the said Buildings and to provide for the proper Care and Maintenance thereof, and also (if it shall be found necessary) to vary from Time to Time the internal Arrangements of the said Buildings, and the Plan of Building and Arrangements for Care and Maintenance of the Building.

the Purposes to or for which any Part thereof may be used or appropriated, as to Her Majesty shall seem proper and expedient: Provided always, that no Orders or Regulations requiring any Expenditure of public Money shall be made by such Persons without the Consent of the Treasury.

Repayment of Advances.

Repayments to the Account of the Paymaster General to be carried to and be made Part of the Consolidated Fund.

5. All Sums of Money which shall be paid into the Bank of *England* to the Account of the Paymaster General, in Repayment of Advances made by virtue of this Act, shall from Time to Time, at such Periods as the Treasury shall direct, be transferred to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Mode of Repayment of Advances to Consolidated Fund.

6. For the Purpose of securing the Repayment of the Advances to be made, under the Provisions of this Act, other than those to be granted as the estimated Value of the present Courts and Offices, as herein-after provided, there shall be contributed a Sum not exceeding One million three hundred thousand Pounds Cash, as follows:

First, One million Pounds Three Pounds *per Cent.* Stock, out of the Three Pounds *per Cent.* Consolidated Annuities, and out of the Three Pounds *per Cent.* Reduced Annuities, now standing in the Books of the Bank of *England* to the Credit of an Account, intituled "Account of Securities purchased with Surplus Interest "arising from Securities carried to Account of Monies placed "out for the Benefit and better Security of the Suitors of the "High Court of Chancery, which Account is herein called "'The Surplus Interest Fund:'"

And secondly, a Contribution in the Nature of a Redemption Annuity, payable for a Term not exceeding Fifty Years, to be raised by Fees to be imposed as herein-after directed on Suitors and on Processes in the Courts and Offices to be accommodated in the said new Buildings other than the Court of Chancery, equivalent to the Residue of the said Advances, with Interest thereon.

200,000*l.* to be contributed out of Money to be provided by Parliament as the Value of Courts and Offices transferred, and of

7. Out of the Monies to be provided by Parliament as aforesaid for carrying into effect the Purposes of "The Courts of Justice Concentration (Site) Act, 1865," the Sum of Two hundred thousand Pounds Cash, being the estimated Value of the present Courts and Offices, to be transferred to the Commissioners of Public Works and Buildings, or to become available for other public Purposes, and of the Relief from Rental which is at present defrayed out of public Monies

for

for Buildings in the Occupation of Legal Departments to be hereafter accommodated in the new Courts, shall be considered as a Grant towards the Erection of the said Courts, and shall not be repayable to the Consolidated Fund; and if any other Property now used for Courts and Offices, and not included in the said Estimate of Two hundred thousand Pounds, should in like Manner be transferred or become available for other public Purposes, Credit shall be given for the Value of such Property by a Reduction of the Annuity to be paid by the Contribution to be levied on Suitors as herein-after provided, or otherwise as the Commissioners of the Treasury and the Lord Chancellor shall jointly determine.

Relief from Rent, to the Public.

8. There shall from Time to Time be sold, under the Order of the Lord Chancellor (such Order to be made on the Certificate of the Treasury), such Portions of the said Surplus Interest Fund, to the Extent of but not exceeding in the whole One million of the Stock composing the same, as the said Lord Chancellor shall from Time to Time direct; and the Monies arising from every such Sale shall be received by One of the Cashiers of the Bank of *England*, and be paid by him to the aforesaid Account of the Paymaster General at the Bank of *England*, and shall be transferred to the Account of Her Majesty's Exchequer as aforesaid.

1,000,000*l.* Stock to be contributed by the Surplus Interest Fund.

9. The Residue of the Advances, with Interest, is to be repaid, and is to be deemed to be discharged, by a Contribution, to be levied on the Suitors (other than those of the Court of Chancery) using the said Buildings, in the Nature of a Redemption Annuity calculated at Four Pounds *per Centum per Annum* on the Amount of such Residue, and payable for a Term not exceeding Fifty Years, such Term to commence from the Period when any Part of such Buildings shall be used for the Transaction of the Business of such Suitors, the Commencement of such Period to be announced in the *London Gazette* by the Direction of the Treasury.

Contribution of Suitors other than of Chancery to be ascertained and discharged by a Redemption Annuity.

10. The Amount of such Residue so chargeable on the said Suitors is to be ascertained by adding to the Principal Money payable by them Interest from the Time of the respective Advances up to the Commencement of the said Term, at the Rate of Three Pounds Five Shillings *per Centum per Annum*, such being the Rate at which the said Redemption Annuity of Four Pounds *per Centum* has been calculated.

Mode of ascertaining Amount chargeable on the Suitors.

11. The Suitors (other than those of the Court of Chancery) are to contribute in proportion, as far as may be, to the Extent of the

Apportionment amongst Suitors

other than those of the Court of Chancery of their Contribution.

Use made by them of the Buildings erected in pursuance of the said Building Act.

The Proportion in which the Suitors are to contribute shall, subject to the Provisions of this Act, be determined by the Treasury.

Mode of levying Contribution.

12. The Contribution of the Suitors under this Act shall be levied by means of a separate Fee, herein-after called the Rent of Courts Fee, to be collected by Stamps, to be impressed on or affixed to such Documents in use in each Court or Office to be accommodated in the said new Buildings, and to be of such Amounts as may be from Time to Time determined by the Treasury, with the Consent of the Lord Chancellor, together with the Chief Judge of each of the Superior Courts of Common Law, or any One of such Chief Judges, and of such other Persons or Person as Her Majesty by Order in Council may please to direct; and all the Provisions of any Act of Parliament relating to the Payment or Collection of the Fees levied in any Court in which the Rent of Courts Fee is collected, and relating to the Stamps for collecting such Fees, shall apply to the Rent of Courts Fee payable under this Act.

The net Produce of such Rent of Courts Fee is to be paid by the Commissioners of Inland Revenue to the Credit of the aforesaid Account of the Paymaster General.

Annual Adjustment of Suitors Redemption Annuity.

13. The said Paymaster General is to keep and annually make up an Account of the Monies due and paid in respect of the said Redemption Annuity and of the net Produce received by him in respect of such Rents of Courts Fee, and of all other Payments (if any) made on account of such Redemption Annuity; and the said Fees imposed in respect of such Rent of Courts Fee may be from Time to Time revised and varied so that the Produce thereof may satisfy the Amount payable from Time to Time in respect of the said Redemption Annuity; but if in any Year there shall have been an Excess in the said Receipts beyond the Amount due for such Annuity, such Excess is to be invested and accumulated, and applied at such Periods as the Lord Chancellor and the Treasury shall from Time to Time determine in satisfying, discharging, and redeeming so much of the said Annuity as it shall at the Rates aforesaid, and having regard to the Length of Term unexpired, be sufficient to discharge and redeem.

This Account shall be annually laid before Parliament.

Cessation of Rent of Courts Fee.

14. As soon as such Redemption Annuity shall have been satisfied as aforesaid the Rent of Courts Fee shall cease to be levied.

15. Subject

Courts of Justice Building.

15. Subject to the Provisions of this Act, the Treasury may from Time to Time make Regulations with respect to the Mode of making and replacing the Advances required to be made for the Purposes of this Act, and with respect to all other Matters necessary to carry this Act into effect; and any Regulations made by the Treasury in pursuance of the Power given by this Act shall be as valid as if they were inserted in this Act.

Power of Treasury to make Regulations.

Power to redeem Chancery Compensations out of Capital, and Indemnity of the Chancery Cash Balance.

16. The Lord Chancellor may negotiate with any of the Persons entitled to Compensation Allowances for the Purchase or Redemption of the same at a Price not exceeding the Price contained in the Tables referred to in the Act of Parliament of the Tenth Year of the Reign of King *George* the Fourth, Chapter Twenty-four, Section Fourteen, either for a gross Amount of Cash or Stock, or for a Government Annuity; and for the Purpose of effecting such Purchase or Redemption, or of providing for any Part of such Compensation Allowances remaining unredeemed which the Income of the Funds charged therewith may be insufficient to satisfy, the Lord Chancellor may order the Sale, Transfer, or Payment of any Part of the Residue of the said Surplus Interest Fund, or of any of the other Funds charged with such Compensation Allowances, or the Purchase therewith from the Commissioners for the Reduction of the National Debt of terminable Annuities either for Lives or for Terms of Years.

Chancery Compensations may be redeemed or paid out of the Capital of Court Funds.

17. If the General Cash Balance of the Suitors remaining in the Court of Chancery shall be at any Time insufficient to satisfy the Demands of the Suitors thereon, such Deficiency shall, to the Extent to which the Monies arising by the Sale of the aforesaid One million of the said Surplus Interest Fund would have been available, be made good out of the Consolidated Fund; and if the Residue of the Surplus Interest Fund and the other Funds charged with Compensation Allowances are insufficient to meet such Charges, in that Case such last-mentioned Deficiency also shall be made good out of the Consolidated Fund.

Indemnity against Loss by Appropriation of Surplus Interest Fund.

Saving of Jurisdiction on Removal of Courts.

18. Notwithstanding their Removal to the Site provided by "The Courts of Justice Concentration (Site) Act, 1865," the Superior Courts of Law and Equity may exercise the same Jurisdiction and enjoy the same Rights and Privileges as they have hitherto exercised and enjoyed, and all Statutes, Charters, and other Instruments wherein

Saving of Jurisdiction of Courts.

Westminster

Westminster is described or referred to as being the Locality of the said Courts shall be construed as if the Site provided by "The Courts of Justice Concentration (Site) Act, 1865," had been described or referred to in the said Statutes, Charters, and other Instruments as the Locality of the said Courts, instead of *Westminster*.

Forms of Writs to be altered by Order in Council.

19. Her Majesty may by Order in Council make any Alteration that may be thought expedient for the Purpose of adapting the Forms of testing Writs and other Instruments, and the Forms themselves of Writs or other Instruments in use in the said Courts, to the Change of Locality made by "The Courts of Justice Concentration (Site) Act, 1865."

Power to try London Causes in the new Courts.

20. Her Majesty may by Order in Council from Time to Time, at the Request of the Lord Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, direct that all or any Issues or Inquiries in Cases at Nisi Prius which would otherwise be tried and executed within the County of the City of *London* shall for ever thereafter, or for a Time to be specified in such Order, be tried and executed at the Courts authorized to be erected by this Act; and in the event of such Order being made the said Courts shall, for the Purpose of giving Jurisdiction to the Sheriffs of *London* in relation to such Trials and Inquiries, and for the summoning of Jurors, and for all other Purposes of or incidental to any such Trials or Inquiries, be deemed to be situate in the County of the City of *London*.

Power to try Middlesex Causes in the new Courts.

21. Her Majesty may by Order in Council from Time to Time direct that all or any Issues or Inquiries in Cases at Nisi Prius which would otherwise be tried and executed within the County of *Middlesex* shall for ever thereafter, or for a Time to be specified in such Order, be tried and executed at the Courts authorized to be erected by this Act; and in the event of such Order being made the said Courts shall, for the Purpose of giving Jurisdiction to the Sheriff of *Middlesex* in relation to such Trials and Inquiries, and for the summoning of Jurors, and for all other Purposes of or incidental to any such Trials or Inquiries, be deemed to be situate in the County of *Middlesex*.

Transfer of Property now used for Offices.

Discontinuance of existing Courts and Offices.

22. Whereas the legal Business hitherto carried on in the Buildings situate in or near *Southampton Buildings*, known as the "Masters Offices," and erected in pursuance of the Act of the Session of the Thirty-second Year of King *George* the Third, Chapter Forty-two, is intended to be transacted in the Courts, Offices

Offices, and Premises authorized to be erected under this Act; and it is expedient that such Masters Offices should be appropriated in manner herein-after mentioned for public Purposes: Be it enacted, That all the Buildings erected as aforesaid, with the Sites thereof, and all the Lands and Hereditaments, if any, purchased or acquired in pursuance of the said Act of the Thirty-second Year of King *George* the Third, with all their actual and reputed Appurtenances, shall on the passing of this Act vest in the Commissioners of Her Majesty's Works and Public Buildings as incorporated by the Act of the Session of the Fifteenth and Sixteenth Year of the Reign of Her present Majesty, Chapter Twenty-eight, to be held by them for the Purposes of the last-mentioned Act, discharged from all subsisting Trusts declared with respect thereto: Provided that the said Commissioners shall not take possession of any Part or Parts of the said Buildings that may be occupied for legal Purposes until the Lord Chancellor certifies that in his Opinion such Part or Parts is or are no longer required by the Persons so occupying the same.

Society of Lincoln's Inn may re-purchase Six Clerks and Registrars Offices.

23. And whereas by virtue of Two Statutes (Local and Personal) passed in the Fifteenth Year of the Reign of King *George* the Third, Chapters Twenty-two and Fifty-six, Land being Part of the Garden of the Honourable Society of *Lincoln's Inn* was sold by the said Society for the Purpose of building thereon the Six Clerks and Registrars Offices, and the same are now used as the Offices of the Accountant General and Registrars in Chancery, and of the Clerks of Records and Writs, and of the Clerk of Enrolments in Chancery, and the same are now under the said Two Acts, and under the Statute passed in the Sixth Year of the Reign of *Victoria*, Chapter One hundred and three, Section Twenty-nine, vested in the Accountant General of the Court of Chancery and his Successors, but subject to a Provision that the Buildings shall be used for the Purposes of the aforesaid Offices, and for no other Purpose:

And whereas under an Act (Local and Personal), passed in the Fifty-sixth Year of the Reign of King *George* the Third, Chapter Eighty-four, a Court for the Sittings of the Vice-Chancellor of *England* was erected in *Lincoln's Inn*, and vested in the said Society for the public Purposes by the said Act directed, and for no other Purposes:

And whereas the said Society have since the Year One thousand eight hundred and forty expended out of their own Funds divers Sums in the Erection and fitting up of Courts for the Use of the Judges of the said Court of Chancery, and otherwise for the Benefit of the said Court:

And whereas, after the said new Buildings shall have been erected and commenced to be used, the said several Offices and Courts will no longer be applicable to the Purposes for which the same were erected or fitted up, and it is necessary that Provision should be made by Parliament respecting the same; and as the said Honourable Society of *Lincoln's Inn* will cease to have the Benefit of the Business of the said Courts being carried on within the Precincts of their said Inn, it is just and expedient that the said Society should be repaid the Amount of their aforesaid Outlays: Be it enacted, That it shall be lawful for the said Society to repurchase and become repossessed of the said Land sold by them for the said Six Clerks and Registrars Offices in Chancery, upon their repaying the Purchase Monies received by them for the said Land; and further, that the said Society shall be entitled, if they so elect, to become possessed of the Erections and Buildings thereon, upon paying for the same at a Valuation as old Building Materials; and further, that the Trusts declared by the said Statute, Fifty-six *George* the Third, Chapter Eighty-four, shall be discharged, and the said Court erected under the said Statute for the Vice-Chancellor of *England* shall become to all Intents and Purposes the exclusive Property of the said Society, without their making any Payment for the same or the Materials thereof; and further, that the said Society shall be repaid the said Principal Sums they have from Time to Time since the Year One thousand eight hundred and forty expended out of their Funds for the Use of the said Court of Chancery; and that it shall be lawful for the said Lord Chancellor to adjust and settle an Account with the said Society upon the Basis of this Enactment, and to order that the Balance of such Account shall be paid into or out of the Suitors Fee Fund of the Court of Chancery, as the Case may be; and upon Payment of the said Balance to or by the said Society, as the Case may be, the Lord Chancellor shall make an Order that the said Land and Buildings do vest in the Trustees for the Time being of the Real Estates of the said Society, and the same shall thereupon be vested accordingly, discharged from all Trusts, Restrictions, and Regulations declared, imposed, or enjoined by the said Two Statutes, Fifteenth *George* the Third, Chapters Twenty-two and Fifty-six, and Sixth *Victoria*, Chapter One hundred and three, or any or either of them; but this Enactment is not to come into force or to take any Effect until after the Lord Chancellor shall certify under his Hand to the Treasury that the Business hitherto conducted in the said Buildings and Courts, or any Part thereof, has been transferred to the Buildings authorized to be erected under "The Courts of Justice Concentration (Site) Act, 1865," and such Certificate shall

Trusts declared by 56 G. 3. c. 84. to be discharged.

Lord Chancellor to adjust Accounts.

On Payment of Balance Lord Chancellor to make Vesting Order.

shall have been filed in the Report Office of the Court of Chancery; and the Option of repurchasing the said Sites, and purchasing the said Erections and Buildings respectively, may be exercised by the said Society at any Time within Two Years after Notice to the Treasurer of the said Society of the filing of such Certificate.

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CAP. XLIX.

An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a Site for the Erection and Concentration of Courts of Justice, and of the various Offices belonging to the same. [19th *June* 1865.]

WHEREAS a Commission was issued in the Year One thousand eight hundred and fifty-eight, under the Sign Manual of Her Majesty, for the Purpose of inquiring into the Expediency of bringing together into One Place or Neighbourhood all the Superior Courts of Law and Equity, the Probate and Divorce Courts, and the Court of Admiralty, and the various Offices belonging to the same, and into the Means which existed or might be supplied for providing a Site or Sites, and for erecting suitable Buildings for carrying out the above Objects: And whereas the said Commission have reported to Her Majesty, that the Concentration of such Courts is expedient, and have recommended as a Site for the said Courts and Offices certain Houses, Buildings, and Lands situate in the Parish of *Saint Clement Danes* and the Liberty of the Rolls in the County of *Middlesex*, and the Parish of *Saint Dunstan in the West* in the City of *London*, but such Houses, Buildings, and Lands cannot be acquired without the Authority of Parliament: And whereas Duplicate Plans, describing

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the Situation of the said Houses, Buildings, and Lands, hereinafter referred to as the prescribed Lands, with a Book of Reference thereto, containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers thereof, have been deposited with the Clerk of the Peace for the County of *Middlesex* at his Office at the Sessions House, *Clerkenwell*, and with the Clerk of the Peace for the City of *London* at his Office at the Sessions House in the *Old Bailey*, and it is expedient that Powers should be given to the Commissioners of Her Majesty's Works and Public Buildings to purchase such Lands, and to provide Accommodation for the said Courts and Offices or some of them: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Courts of Justice Concentration (Site) Act, 1865."

Incorporation of Commissioners.

Incorporation of Commissioners of Works for Purposes of Act.

2. The Commissioners of Her Majesty's Works and Public Buildings for the Time being, herein-after referred to as "the Commissioners," shall be incorporated for the Purposes of this Act by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that Name shall have perpetual Succession and a Common Seal, to be by them from Time to Time altered as they think fit, with Power to hold Lands for the Purposes and subject to the Provisions of this Act.

Acquisition of Site.

Description of Purposes of Act

3. The Purposes of this Act are the Acquisition of a convenient Site for the Accommodation of the Superior Courts of Law and Equity or some of them, the Probate and Divorce Courts, and the Courts of Admiralty, and the various Offices connected with them, and of such other Courts for the Administration of Justice, and Offices connected therewith, or used for any other Purpose of legal Administration, as may from Time to Time be prescribed by the Commissioners of Her Majesty's Treasury, and the providing of convenient Means of Access to the said Courts and Offices.

Power to Commissioners to purchase Lands

4. The Commissioners may, out of any Monies placed at their Disposal for that Object, purchase, take, and use for the Purposes of this Act all or any of the prescribed Lands.

Lands to continue subject to

5. All Lands purchased by the Commissioners in pursuance of this Act, which were at the Time of such Purchase subject to Land Tax,

Tax, to Poor or other Rates, shall continue liable thereto, but they shall not be assessed to any Tax or Rate on a higher rateable Value than that on which they were assessed on the First Day of *January* One thousand eight hundred and sixty-five. Land Tax and Rates.

6. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purpose of surveying or valuing the same. Power to Commissioners to enter on Lands.

7. "The Lands Clauses Consolidation Act, 1845," and the Act amending the same passed in the Session of the Twenty-third and Twenty-fourth Years of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and Additions and subject to the Provisions herein-after contained; (that is to say,) 8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

(1.) There shall not be incorporated with this Act the Sections and Provisions of the "Lands Clauses Consolidation Act, 1845," herein-after mentioned, that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be "the Special Act," and the Commissioners shall be deemed to be "the Promoters of the Undertaking:"

(3.) The Bond required by Section 85 of the Lands Clauses Consolidation Act shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned:

(4.) The Term "Sheriff" used in the Provisions of the "Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall, as regards any Part of the prescribed Lands within the City and Liberty of *Westminster*, be deemed to apply to the High Bailiff of the City and Liberty of *Westminster* or his Deputy.

8. In every Case in which any Question of disputed Compensation may be required to be determined by the Verdict of a Jury, in the City of *London* or the Liberties thereof, the Jury shall be required to appear before the Court of the Lord Mayor and Aldermen of the City of *London* to be holden in the outer Chamber of the *Guildhall* Questions of disputed Compensation in London to be heard in the Lord Mayor's Court.

Guildhall of the said City according to the Custom of the said City, at a Time to be appointed by the said Court; and all the Directions and Provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, shall extend and be applied with respect to the Settlement of any such Question of disputed Compensation under this Act by Juries appearing before the said Court of Mayor and Aldermen as aforesaid; and the said Court shall give Judgment for the Purchase Money or Compensation assessed by such Jury; and a Verdict and Judgment shall be signed by the Registrar of the said Court of Mayor and Aldermen, and entered among the Records of the said Court, and the said Registrar shall settle the Costs of every such Inquiry.

Extinction of Rights of Way and other Easements.

9. Upon the Purchase by the Commissioners of the prescribed Lands or any Part thereof, all Rights of Way, Rights of laying down or of continuing any Pipes, Sewers, or Drains, on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Land or Part thereof, shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest in the Commissioners, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to under the Provisions of "The Lands Clauses Consolidation Act, 1845," for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said Lands Clauses Consolidation Act, 1845.

Commissioners to pay to Incumbents annual Sums for Loss of Fees, &c.

10. The Commissioners shall pay an annual Sum to each of the Persons herein-after mentioned; that is to say,

The Rector of *Saint Clement Danes* in the City of *Westminster;*

The Perpetual Curate of *Saint Thomas,* Liberty of the Rolls, in the County of *Middlesex;*

The Rector of the Parish of *Saint Dunstan in the West* in the City of *London,*

by way of Compensation for the Loss of all such *Easter* Dues, Oblations, Surplice Fees, or other customary Payments that may be taken away in consequence of carrying into effect the Purposes of this Act. Such Payments shall be made half-yearly on the First Day of *January* and the First Day of *July* in each Year. The Amount payable to each such Person shall be calculated on an Average of the Amount received by him in respect of the said customary Payments on an average of the Three Years immediately preceding the passing of this Act, and in the event of Difference shall

shall be definitively settled by an Arbitrator appointed by Her Majesty's Attorney General for the Time being.

The first of the above-mentioned half-yearly Payments shall be made on the First Day of *July* One thousand eight hundred and sixty-seven.

11. Nothing in this Act contained shall prejudice the Right of any Rector or other Ecclesiastical Person to any Tithe, or Rentcharge in lieu thereof, charged upon or payable out of any Lands purchased by the Commissioners in pursuance of this Act; and the said Commissioners shall from Time to Time pay the said Tithe or Rentcharge, when the same shall become due, out of any Monies that may be in their Hands applicable thereto.

Compensation for Tithes or Rentcharges to be paid by Commissioners.

12. All Claims for Compensation made upon the Commissioners under the Provisions of this Act or any Act incorporated herewith shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

As to Claims for Compensation by yearly Tenants.

13. The Limit for the compulsory Purchase of Lands under this Act shall be Five Years.

Limits for compulsory Purchases.

14. The Commissioners may, for the Purpose of improving the Approaches, or of providing convenient Roads, Bridges over, or Tunnels under Streets, or other Modes of Access to the proposed Courts of Justice and the Offices connected therewith, acquire by Purchase or otherwise any Lands or Interest in Lands or Easements, and for the Purposes of such Acquisition the said Lands Clauses Consolidation Act shall be deemed to apply, with the Exception of so much thereof as relates to the Purchase of Lands otherwise than by Agreement.

Power to purchase Lands for Accesses to Courts and Offices by Agreement.

15. The Commissioners may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works, and do all such other Things, as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act or any of them.

Powers to Commissioners to execute Works.

16. Where any Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as to interfere with any Main Sewer under the Jurisdiction or Control of the Metropolitan Board of Works, the Commissioners shall not commence such Work until they shall have given to the said Metro-

For Protection of Sewers of Metropolitan Board of Works.

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politan Board Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of such Board, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Board shall have signified their Approval of the same, unless such Board do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plans, Sections, and Particulars as aforesaid; and the Commissioners shall comply with and conform to all Orders, Directions, and Regulations of the said Metropolitan Board in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as such Board may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Main Sewers herein-before referred to, by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board against any Expense to be occasioned thereby; and all such last-mentioned Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, at the Expense in all respects of the Commissioners; and all Expenses which the said Metropolitan Board may be put to by reason of the Works of the Commissioners, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Board by the Commissioners; and when any new, altered, or substituted Works as aforesaid, or any Works connected therewith, shall be completed, by or at the Expense of the Commissioners, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Metropolitan Board as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities of the said Metropolitan Board, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed; provided that no Renewal or Alteration, other than a Change of Site of existing Works, shall be deemed new Works under this Act; and if the Commissioners shall complain of any withholding of Consent on the Part of the said Board, or of any Orders and Directions and Regulations, or of any Charges sought to be imposed by such Board upon the Commissioners, in the Execution of any such Works, it shall be lawful for Her Majesty's Principal Secretary of State for the Home Department for the Time being to determine every such Difference, and by Order under his Hand to authorize the Works, and the Manner of executing the same, as he shall think fit; and after the Date of the Application by the Commissioners to the

the said Secretary of State no Penalty shall be incurred by any Default of the Commissioners in respect of or in relation to such Works, or the Matters in difference between the Parties.

17. Nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers of the City of *London*, with respect to *Bell Yard, Fleet Street*, in the City of *London*.

Saving Rights of the Commissioners of Sewers.

18. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Exemption from Building Act.

19. No Notice shall be given of the Intention to take any Property under this Act, nor shall any Contract be entered into for the Purchase of any Property, until a Certificate in Writing shall have been received by the Commissioners of Her Majesty's Treasury, signed by the major Part in Number of the Persons appointed by Her Majesty under "The Courts of Justice Building Act, 1865," to advise and concur with the Commissioners of Her Majesty's Treasury with reference to the Plan and Arrangements of the Buildings to be erected upon the Lands hereby authorized to be taken, stating that they are satisfied that the Lands to be acquired under this Act, of which a Plan has been laid before Parliament, are sufficient for all the Purposes of the intended new Courts and Buildings connected therewith, and that the probable Cost of the said Lands and Buildings will not exceed the Amount of the Funds provided under "The Courts of Justice Building Act, 1865," for those Purposes.

No Notice to be given to purchase Property until a Certificate has been received by the Treasury from Persons appointed under 28 Vict. c. 48. to advise, &c. as to Plan.

Miscellaneous.

20. No Purchase shall be made by the Commissioners for the Purposes of the Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any Vendor or any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent; and any such Assent may be given either generally, or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet.

No Purchases to be without the Authority of the Treasury.

21. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners, and may be in Writing or in Print, or partly in Writing and partly in Print.

Authentication of Notices.

22. All

Orders concerning Money paid into Court may be made at Chambers.

22. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition, in relation to any Money paid into the Bank of *England* with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, may be made by any Judge of the said Court upon Application to him, while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court, on any such Applications.

Penalty for obstructing Commissioners in Exercise of Power.

23. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Powers vested in them under this Act, he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

24. No Deed, Bond, or other Instrument made by, to, or with the Commissioners for any of the Purposes of this Act shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

25. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to the Commissioners for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument, when so enrolled, shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Plans to be deposited in the Office of Works, &c., and be open for Inspection.

26. A Copy of the Plans of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office, to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

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Interpretation Clause.

4.—

The Expression "Registrar," as used in this Act, shall mean the Registrar under the Petty Sessions Clerks (*Ireland*) Act, 1858:

The Expression "Lord Lieutenant," as used in this Act, shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland*:

The Expression "Chief or Under Secretary," as used in this Act, shall mean the Chief or Under Secretary of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*:

The Expression "Petty Sessions Clerk," as used in this Act, shall mean the Clerk of any Petty Sessions Court under the "Petty Sessions (*Ireland*) Act, 1851," and the "Petty Sessions Clerk (*Ireland*) Act, 1858," and shall include the Chief or other Clerk of any Police Court in the Police District of *Dublin* Metropolis:

The Expression "Justice or Justices at Petty Sessions," as used in this Act, shall include any Divisional Justice of *Dublin* Metropolitan Police; and the Expression "Petty Sessions District," as used in this Act, shall include the Police District of the *Dublin* Metropolis.

PART I.

Commissioners of Inland Revenue to provide Dies for denoting License Duty.

5. The Commissioners of Inland Revenue shall provide all necessary Dies for denoting, either by impressed or adhesive Stamps, the Amount or Value of Licenses according to the Scale fixed in Schedule A. to this Act annexed; and the Registrar shall, under the Direction and Supervision of the Chief or Under Secretary, cause a sufficient Supply of the Forms in the Schedule (B.) to this Act annexed to be printed; and the said Commissioners shall cause any of such Forms to be stamped according to this Act with proper Stamps denoting the License Duty thereon; and the Registrar shall cause the same, when so stamped, and also any adhesive Stamps that may be necessary for the Purposes of this Act, to be from Time to Time furnished to the several Petty Sessions Clerks in *Ireland*; and for the Purposes aforesaid the said Commissioners shall supply the Registrar with such stamped Forms and adhesive Stamps for denoting the Amount or Value of any of such Licenses, under such Rules and Regulations as the Chief or Under Secretary shall from Time to Time make or direct.

License to keep Dogs, &c.

6. Any Person, after the Commencement of this Act, having in his Possession or Custody any Dog or Dogs, shall, on or before the Thirty-first Day of *March* in each Year, take out a License for such Dog

Dog or Dogs in the Petty Sessions District in which he shall reside; and the Petty Sessions Clerk, upon Payment by such Person of the proper License Duty, shall deliver such License to such Person, which shall entitle such Person to keep such Dog or Dogs for One Year from and after the Date of such License: Provided always, that where the Owner of a Dog or Dogs has given the Custody of such Dog or Dogs to another Person who shall not reside in the same Petty Sessions District as the Owner, the License for such Dog or Dogs shall be taken out by the Person having the Custody of such Dog or Dogs, and not by the Owner.

Occupiers to be liable to Payment of License Duty.

7. The Occupier of any House or Premises where any Dog or Dogs are kept or permitted to live or remain shall be liable to pay the License Duty for such Dog or Dogs, and in default of such Payment shall be liable to the Penalties incurred by Persons keeping unlicensed Dogs, unless the said Occupier can prove to the Satisfaction of the Justice or Justices that he is not the Owner or has not the Custody of such Dog or Dogs, and that such Dog or Dogs were kept or permitted to live or remain in the said House or Premises without his Sanction or Knowledge: Provided always, that where there are more Occupiers than One in any House or Premises let in separate Apartments or Lodgings, or otherwise, the Occupier of that particular Part of the Premises in which such Dog or Dogs shall have been kept or permitted to live and remain shall be liable to pay the License Duty for such Dog or Dogs.

Joint Occupiers.

Clerk to make Entry of License in Book to be kept for that Purpose.

8. Every Petty Sessions Clerk shall keep a Book to be provided by the Registrar, and to be called "the Registry of Dogs License Book," in which he shall register the Issue of such License, the Date thereof, and the Name and Residence of the Person to whom issued, as also the Description of the Dog or Dogs as contained in the License, which Book shall be open to the Inspection of the Registrar and his Clerks, and of every Justice of the Peace, County Inspector, Sub-Inspector, Head or other Constable of Constabulary, and of every Superintendent, Head or other Constable of the *Dublin* Metropolitan or other local Police Force; and the Petty Sessions Clerk shall certify at the Foot or on the Back of every such License that the same has been duly registered, and shall affix to every such Certificate of Registry a Sixpenny Petty Sessions Stamp, to be paid for by the Person taking out the License.

Proceedings on Transfer of Dog by Sale or Gift.

9. Where any Dog shall be transferred by Sale or Gift by its Owner to any other Person, it shall not be necessary for such Person to take out a new License for such Dog if such Dog shall have been licensed within the Year, but such Person shall obtain from the

the Petty Sessions Clerk of the District where the License was issued a Certificate in the Form in the Schedule (D.) to this Act annexed, to which Certificate a Sixpenny Petty Sessions Stamp shall be affixed to be paid by the Person requiring the same, and such Person shall, within Fifteen Days after such Transfer, cause such Certificate to be registered in the "Registry of Dogs License Book" for the Petty Sessions District in which the Person to whom such Transfer shall have been made resides, and the Petty Sessions Clerk of such District shall, on Application, register such Certificate, and shall certify such Registry at the Foot or at the Back of the Certificate, and no Fee or Stamp Duty shall be payable on such Registry; and in default of causing such Registry to be made such Person shall be liable to the Penalties incurred by Persons keeping unlicensed Dogs.

Power to Justices to enforce Payment of Fees in certain Cases.

10. In case the Person who shall be liable, under the Provisions of this Act, to pay such Fee of Sixpence upon every such Certificate of the Registry of such License, shall fail to make such Payment, it shall be lawful for the Justice or Justices at Petty Sessions to make a summary Order, on the Complaint of the Clerk of such Petty Sessions, to require the Payment of such Fee; and such Order shall be enforced in like Manner as any Order of a Justice or Justices may now be enforced under the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same: Provided always, that every Petty Sessions Clerk shall, when required so to do, and as a Part of his Duty, and without Charge, properly fill up all Licenses purchased of him under the Provisions of this Act.

Petty Sessions Clerk shall fill up Forms, when required.

Lists of Licenses to be printed and posted.

11. Every Petty Sessions Clerk shall, on or before the Fifteenth Day of *April* in each Year after the Commencement of this Act, cause a sufficient Number of Lists to be printed or written in the Form in the Schedule (C.) to this Act annexed, and shall cause such Lists to be posted on or near to the Doors of every Petty Sessions Court and Police Station and Barrack within his District, and shall furnish a Copy of such Lists to the Clerk of each Poor Law Union in his District, and to the Secretary of the Grand Jury of the County in which his District is situate. The Cost of printing and posting such Lists shall be defrayed by the Registrar.

Petty Sessions Clerk to account with the Registrar half-yearly.

12. Every Petty Sessions Clerk shall account with the Registrar for all Licenses or License Stamps issued to him; and such Account shall be made, passed, and audited in such Form and Manner and at such Times as the Lord Lieutenant shall for that Purpose direct.

13. Every

13. Every such Account shall be verified by the Affidavit or Affirmation of the Petty Sessions Clerk, to be made before the Registrar or One of the Justices of the District or One of the Districts to which the said Clerk shall belong. Accounts to be verified.

14. The Lord Lieutenant may from Time to Time make Regulations for the Allowance of such of the Licenses or License Stamps issued under the Provisions of this Act as may have been spoiled or rendered useless or unfit for the Purpose intended, or which through Mistake or Inadvertence may have been improperly or unnecessarily used. Allowance for Licenses or License Stamps spoiled, &c.

15. All the Costs and Expenses incurred by the Commissioners of Inland Revenue and Registrar under this Act shall be paid out of the Monies arising from the Sale of Licenses under this Act, and any surplus Monies arising from such Sale, and remaining in the Hands of such Registrar after defraying all Expenses incurred by him under this Act, shall be paid over by him once a Year to the Credit of the Treasurer of the County or Borough, as the Case may be, in which such Licenses shall have been sold, in such Manner as the Lord Lieutenant shall direct, to be applied by such Treasurer in aid of the County or Borough Rates, as the Case may be, in such Manner as the Grand Jury or Town Council of such County or Borough shall direct: Provided always, that it shall be lawful for the Lord Lieutenant from Time to Time, by any Writing under his Hand, to direct that the Registrar shall have and be allowed to retain such annual Sum as the Lord Lieutenant may think fit, by way of Remuneration for the Trouble incurred by the Registrar and his Clerks and by the Petty Sessions Clerks respectively in performing the Duties imposed on them by this Act. Repayment of Expenses.

16. The Monies received by the Clerk of Petty Sessions for the Petty Sessions Stamps to be used for the Purposes of this Act shall be subject in all respects to the Provisions of "The Petty Sessions Clerk (*Ireland*) Act, 1858." Monies received for Stamps to be subject to 21 & 22 Vict. c. 100.

17. The Registrar shall make out and prepare an annual Statement of his Accounts under this Act at such Time and in such Form as the Lord Lieutenant shall direct, and such Accounts shall be annually laid before Parliament. Accounts to be presented to Parliament.

18. The Registrar shall, in sufficient Time before the Thirty-first Day of *December* One thousand eight hundred and sixty-five, furnish to the Clerks of Petty Sessions printed Notices, which the said Clerks shall, on or before the said Thirty-first Day of *December*, Registrar to furnish Notices setting forth Acts required to be

done under this Act.

cause to be fixed or placed on the Outside of the several Church and Chapel Doors or other public and conspicuous Buildings or Places within their respective Districts, and which Notices shall specify the several Acts required to be done for the Purpose of registering any Dog or Dogs under the Provisions of this Act.

PART II.

Penalties.

Provisions of the Stamp Acts, as far as applicable, to be extended to this Act.

19. The Provisions contained in the several Acts for the Time being in force relating to Stamps under the Care and Management of the Commissioners of Inland Revenue shall (so far as the same are applicable, and consistent with the Provisions of this Act,) in all Cases not hereby provided for be in full Force and Effect with respect to the Stamps to be provided under the Provisions of this Act, and shall be applied and put in execution for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually, to all Intents and Purposes, as if such Provisions had been adapted to and specially enacted by this Act in reference to the Stamps hereby provided.

Penalty on Owners of Dogs not having the same licensed.

20. Any Person who shall, from and after the Thirty-first Day of *March* in each Year after the Commencement of this Act, have in his Possession or Custody any Dog or Dogs not duly licensed in accordance with the Provisions of this Act, shall be liable to a Penalty not exceeding Two Pounds; and the Justice or Justices shall further order such Person forthwith to take out a License for such Dog or Dogs; and the Petty Sessions Clerk shall thereupon issue such License upon Payment of the proper License Duty by such Person, and such License shall be held to be valid to the Thirty-first Day of *March* next following the Date of such License; and if after such Order such Person shall continue to keep any Dog or Dogs without having obtained a License, he shall, in addition to the Penalty imposed for the Second and any subsequent Offence, pay a Sum not exceeding One Shilling for each Day he shall have kept a Dog without License.

Penalty for refusing to produce License.

21. Every Person having in his Possession or Custody any Dog or Dogs shall produce the License for such Dog or Dogs whenever so required by a Justice of the Peace, Officer, Head or other Constable of Constabulary or of the *Dublin* Metropolitan or other local Police Force, and in case of Refusal he shall, if licensed, be liable to a Penalty not exceeding Five Shillings.

22. Every

22. Every Penalty recoverable under the Provisions of this Act shall be recoverable in a summary Way, with respect to the Police District of *Dublin* Metropolis subject and according to the Provisions of any Act regulating the Powers and Duties of Justices of the Peace for such District or of the Police of such District, and with respect to other Parts of *Ireland*, before a Justice or Justices of the Peace sitting in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same, and shall be applied according to the Provisions of "The Fines Act (*Ireland*), 1851," and any Act amending the same.

Recovery of Penalties.

Application of Penalties.

23. No Penalty shall be exacted in any Case where it shall appear to the Satisfaction of the Justice or Justices that the Person failing to comply with the Provisions of this Act has not wilfully been guilty of such Failure, but that such Failure has been occasioned by Accident; provided always, that such Justice or Justices shall forthwith order such Person to take out a License for the Dog or Dogs in his Possession or Custody, or otherwise comply with the Provisions of this Act, and that such Person shall forthwith comply with such Order.

No Penalty where Failure not wilful.

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SCHEDULES.

SCHEDULE (A.)

Schedule.	Duty.
	£ s. d.
For every License to keep One Dog - - -	0 2 0
For every License to keep Two or more Dogs - -	0 2 0 For each Dog.

SCHEDULE (B.)

I hereby certify, That *A.B.* [*Farmer*], residing at
in the Townland of in the Parish of
in the County of has this Day taken out a License
for the Year ending for the Dog or Dogs
described at the Foot hereof, and paid the Sum of
being the License Duty imposed in respect of such Dog or Dogs
by the "Dogs Regulation (Ireland) Act, 1865."

Number of Dogs.	Colour.	Description.

Dated this Day of 18 .

(Signed) *C.D.*,
Clerk of
Petty Sessions.

Note—In Cases where an Owner or Master of a Pack of Hounds, Harriers, or Beagles, or an Owner of several Greyhounds, takes out a License, the Number

Number of such Dogs need only be given; but where a License is taken out for other Dogs, the Colour and Description of each Dog should be given as far as possible.

No in Registry Book } I hereby certify, That this License has been duly registered in the "Registry of Dogs License Book" kept for that Purpose by me, pursuant to Section Eight of the "Dogs Regulation (Ireland) Act, 1865."

Dated this Day of 18 .

(Signed) *C.D.*,
Clerk of
Petty Sessions.

Place for Petty Sessions Stamp

SCHEDULE (C.)

I hereby certify, That the following Persons have taken out Licenses in the Petty Sessions District of in the County of . for the Number of Dogs set opposite their Names for the Year ending

Name.	Residence.	Number of Dogs.

Dated this Day of 18 .

(Signed) *C.D.*,
Clerk of
Petty Sessions.

SCHEDULE (D.)

I hereby certify, That *A.B.* [*Farmer*] residing at
in the Townland of in the Parish of
in the County of has paid the License Duty, under
the "Dogs Regulation (Ireland) Act, 1865," for the Dog described
at the Foot hereof for the Year ending 18 .

Colour.	Description.

Dated this Day of 18 .

(Signed) *C.D.*,
Clerk of
Petty Sessions.

Place for Petty Sessions Stamp

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Contracts on behalf of Her Majesty for the Execution of Portions of those Works, subject to the following Conditions :—

First, that the total Amounts to be made payable under all or any such Contracts for Works at the said Dockyards respectively do not exceed the respective Sums stated with reference thereto in the Second Column of the Second Schedule to this Act.

Secondly, that the Amounts to be made payable under all or any such Contracts in any Period of Twelve Months do not exceed the respective Sums stated with reference thereto in the Third Column of the same Schedule.

Thirdly, that the Duration of any such Contract do not exceed the respective Number of Years stated with reference thereto in the Fourth Column of the same Schedule.

Contracts to be laid before Houses of Parliament.

2. A Copy of every Contract entered into by virtue of this Act shall be laid before both Houses of Parliament within Thirty Days after the same is entered into, if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament.

Short Title.

3. This Act may be cited as The Dockyard Extensions Act, 1865.

The

The FIRST SCHEDULE.

Dockyard.	Works designed.	Total estimated Expenditure from 1st April 1865.
		£
PORTSMOUTH -	Construction of an Avant Port or Tidal Basin on Eastern Shore of Harbour to North of present Dockyard, and of Repairing Basin, Rigging Basin, and Fitting-out Basin, with Five Docks and Two Locks connected therewith -	1,497,500
CHATHAM -	Inclosure of St. Mary's Island and Creek in extension Northwards of present Dockyard, and Construction thereon of Repairing Basin, Factory Basin, and Fitting-out Basin, with Two Docks, One Lock, and Factory Buildings connected therewith - - - -	1,096,120

The SECOND SCHEDULE.

Dockyard.	Maximum of Contracts.	Maximum to be made payable in any Twelve Months.	Maximum Duration of Contracts.
	£	£	
PORTSMOUTH -	700,000	250,000	5 Years.
CHATHAM -	650,000	200,000	5 Years.

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Clerk of the Peace.

signed by the Inspector appointed by the Commissioners of Public Works, shall be lodged with the Clerk of the Peace, as directed by Section Six, Number Three, of the said first-recited Act, Copies of the Inspector's Report referring to such Maps, Plans, Sections, and Estimates shall be lodged therewith.

Part of Sect. 38. of first-recited Act repealed, and Commissioners of Public Works empowered to advance Monies necessary for the Works.

3. So much of the Thirty-eighth Section of the said first-recited Act as provides that no Issue or Instalment of any Loan or Advance shall be made unless the said Commissioners shall be satisfied that the Drainage Board have previously *bonâ fide* expended a Sum of Money equal to the Amount of such Issue or Instalment in the Drainage and Improvement of such District, and that in no Case shall any such Loan or Advance be made exceeding One Moiety of the Monies proposed to be expended on the Drainage and Improvement of such District, shall be and the same is hereby repealed; and the said Commissioners of Public Works are hereby empowered (with the Sanction of the Commissioners of Her Majesty's Treasury, by such Instalments and subject to such Rules and Regulations as the said last-mentioned Commissioners may think proper,) to advance any Sum or Sums of Money which the said Commissioners of Public Works may think necessary and proper for the Execution of the Works in any District, and for defraying the Expenses which the said Commissioners may consider properly connected therewith: Provided that no Second or subsequent Instalment of any such Loan shall be made until it shall have been proved to the Satisfaction of the said Commissioners of Public Works that the preceding Instalment has been properly expended in the Execution of the Works in such District.

All the Provisions of former Acts with respect to Loans to apply to Loans under this Act.

4. All the Provisions in the said recited Acts or either of them contained with respect to Loans or Advances made by the said Commissioners of Public Works, and the Security and Repayment thereof, and the making of the final Awards by the Commissioners of Public Works, shall be deemed and taken to apply to all Loans to be made by the said Commissioners under the Provisions of this Act.

Nothing in the Acts construed to render legal Works that would have been illegal if Acts had not passed.

5. It is hereby declared, that as against any Person owning or interested in any Land or other Property situate beyond the Limits of the Jurisdiction of any Board established by the said first-recited Act, nothing contained in the said Act, or in any Provisional Order, or any Act confirming the same, shall be construed to render legal any Work executed or to be executed by such Board that would, if the said Acts had not been passed, have been illegal by reason of its injuriously affecting such Land or Property; and any Damages adjudged

adjudged to be paid by the said Board to any Person as aforesaid shall be deemed to be Part of the Costs incurred by such Board in defending legal Proceedings instituted against them, and shall be defrayed in the Manner in which the said Costs are authorized to be defrayed by the said "Drainage and Improvement of Lands Act (*Ireland*), 1863."

This Act to apply to Districts in which Provisional Orders have been made.

6. All the Provisions of this Act shall be deemed and taken to apply to Districts in respect of which the Commissioners of Public Works have heretofore made Provisional Orders under the said first-recited Act.

This and recited Act to be as One.

7. This Act and the recited Acts shall be read together and construed as One Act.

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SCHEDULE to which this Act refers.

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND), 1863.

In the Matter of Kilmastulla Drainage District in the County of Tipperary.

WHEREAS certain proprietors of and persons interested in the lands upon and adjacent to the Kilmastulla River, in the county of Tipperary, on or about the 23d day of March 1864 presented their petition to the Commissioners of Public Works in Ireland, under the provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, accompanied by the proper schedules, maps, plans, sections, and estimates, together with other particulars and information required by the said Act, showing by reference to the said maps the boundaries and area of the proposed drainage district, and stating the exigencies rendering the formation of such drainage district necessary, and praying that the said lands within the proposed district should be constituted a separate drainage district under the provisions of the said Act.

And whereas the said Commissioners referred the same to Samuel U. Roberts, Esq., Civil Engineer, an inspector duly appointed under the said Act.

And whereas all notices and inquiries required by the said Act have been duly given and made, and the said inspector has duly reported to us the said Commissioners in writing the result of his inquiries; and we the said Commissioners have duly considered the same, and no objections to the report of the said inspector has been made to us.

And whereas all preliminaries required by the said Act to precede the making of this Provisional Order have been performed and complied with.

And whereas we, the said Commissioners of Public Works in Ireland, upon consideration of the premises, are satisfied of the propriety of constituting the proposed separate drainage district, and that the proprietors of two third parts in value of the lands in the proposed district are in favour thereof, and have subsequently to the date of the report of the said inspector assented thereto in writing.

Now, therefore, in pursuance of the power given to us by the said Act, we the Commissioners of Public Works in Ireland, do by this Provisional Order under our common seal constitute the area in the said petition and report, and the boundaries and extent of which are set forth within yellow lines on the map to which we have caused our common seal to be attached, (and which map is deposited in the office of Public Works in Ireland,) a separate drainage district by the name of the Kilmastulla drainage district, and we do declare that the lands to be purchased for the proposed works in such district (subject to such alterations and deviations therefrom as we the said Commissioners may hereafter sanction) are the lands in that behalf shown and set forth in the said map and the schedule thereto

thereto annexed marked with the letter B. and also sealed with our common seal.

And we the said Commissioners of Public Works do, by this our Order, order and direct that the time for completion of the necessary works in the said district shall be limited to the First day of August which will be in the year 1868.

And we do further by this our Provisional Order make the following regulations with respect to the Drainage Board:

That the Drainage Board for the said district shall consist of seven members.

That the following persons shall be the members of the first Drainage Board, viz:—

The Right Honourable Lord Baron Dunally-Kilboy, county Tipperary;
William H. Carroll, Tulla House;
Christopher Keays, of Gortmore Cottage;
George Cashel, of Shallee House;
William Bonfield of Gortmore;
William Vere Cruiss, Silver Street;
All in the county of Tipperary, Esquires, and William Tuthill of Upper Mount Street in the City of Dublin, Esquire.

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That the first meeting of the said Board shall be summoned by notice under the hands of any two or more of the said board, published in the Dublin Gazette and some newspaper generally circulated in the said district, at least fourteen days next before the day of meeting.

That the qualification of any subsequent member of the said Board shall be, that he shall be the proprietor (as defined by the said Acts and the Acts referred to therein or incorporated therewith) of not less than twenty acres of land situate within the area of the said district, or the land agent for the time being of a person being a proprietor as aforesaid of not less than one hundred acres of land situate within the area of said district and acting as receiver of the rents and profits of such lands.

That the members of the first board shall vacate their offices on the first Thursday in September in the year following the date of this Provisional Order.

That the electors for members of the Drainage Board shall be the persons in that behalf mentioned in the said Act: Provided always, that no such elector shall be entitled to vote or exercise any privilege as such unless the land of which he is the proprietor or some portion thereof shall be rateable on account of the works in the district, and he shall have previously paid all rates and arrears of rates which may be payable by him in respect of any drainage rate for the aforesaid district.

In witness whereof we the said Commissioners of Public Works in Ireland have hereunto caused our common seal to be affixed, this Third day of April One thousand eight hundred and sixty-five.

E. Hornsby, (Seal.)
Secretary.

Office of Public Works, Dublin.

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CAP. LIV.

An Act to alter the Days between which Pheasants may not be killed in *Ireland*. [29th *June* 1865.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Third, Chapter Thirty-five, intituled *An Act for the Preservation of Game*, it was enacted (amongst other things) that from and after the First Day of *June* One thousand seven hundred and eighty-seven every Person who shall wilfully kill or destroy any Pheasant between the Tenth Day of *January* and the First Day of *September* in any Year shall forfeit a Sum not exceeding Five Pounds for every such Pheasant: And whereas these Days having been found inconvenient it is expedient to alter them: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 27 G. 3. c. 35. (I.)

Part of recited Act repealed

1. From and after the passing of this Act so much of the said recited Act of the Twenty-seventh *George* the Third as relates to the killing or destroying any Pheasant between the Tenth Day of *January* and the First Day of *September* in any Year shall be and the same is declared to be hereby repealed.

2. From

Fixing Period for shooting Pheasants in Ireland.

2. From and after the passing of this Act no Person or Persons shall on any Pretence whatsoever kill or destroy any Pheasant between the First Day of *February* and the First Day of *October* in any Year, and if any Person or Persons shall do so he or they shall be liable to the same Penalty as by the before-recited Act is laid upon every Person or Persons transgressing the same.

Limit of Act.

3. This Act shall be held to apply to *Ireland* only.

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CAP. LV.

An Act to empower the University of *Oxford* to make Statutes as to the *Vinerian* Foundation in that University. [29th *June* 1865.]

WHEREAS it is expedient to extend the Powers of making Statutes possessed by the University of *Oxford*: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to University to make Statutes as to the Vinerian Foundation.

1. That the said University may, with the view of better promoting the teaching and Study of the Law in the said University, vary by Statute all or any of the Directions, Trusts, and Regulations now in force relating to the *Vinerian* Professorship and the *Vinerian* Fellowship and Scholarships respectively, and to the Application of the Funds held in trust by the said University under the Will of *Charles Viner* Esquire, deceased: Provided, that Part of the Income of such Funds shall always be applied to the teaching of Law, and the Residue towards encouraging the Study of the Law by means of Fellowships or Scholarships or both, and that the Name of the said *Charles Viner*, or the Title *Vinerian*, shall always be retained in connexion with the said Foundation: Provided

vided also, that the Interests of the present Professor, Fellow, and Scholars respectively on the said *Vinerian* Foundation shall not, without their respective Consents, be altered or affected by any such Statute; but every Person who, after the passing of this Act, may be elected a *Vinerian* Professor, or Fellow, or Scholar, shall be subject to any Statute to be afterwards made by the University under the Powers of this Act as fully as if he had been elected under such Statute.

Provisions of 25 & 26 Vict. c. 26. to apply to Statutes under this Act.

2. All the Provisions of the *Oxford* University Act, 1862, as to Statutes of the University passed by virtue thereof, shall extend and apply to Statutes of the University made by virtue of this Act; and the *Oxford* University Act, 1862, and this Act, shall be construed together as One Act.

Short Title.

3. This Act may be cited for all Purposes as the "*Oxford* University, *Vinerian* Foundation, Act, 1865."

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CAP. LVI.

An Act to provide for the better Prevention of Trespass in *Scotland*. [29th *June* 1865.]

WHEREAS it is expedient that Provision should be made for the better Prevention of Trespass in *Scotland*: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Trespass (*Scotland*) Act, 1865." Short Title.

2. In this Act the following Words shall have the Meanings hereby assigned to them: Interpretation of Terms.

"Premises" shall mean and include any House, Barn, Stable, Shed, Loft, Granary, Outhouse, Garden, Stackyard, Court, Close, or inclosed Place:

"Magistrate" shall mean and include the Sheriff and Sheriff Substitute, or any One or more Justice or Justices of the Peace, or any One or more Magistrate or Magistrates, having Jurisdiction respectively in the County or Burgh where any Offence against the Provisions of this Act is committed, or where any Person charged with such Offence is found or brought to Trial:

 "Procurator

"Procurator Fiscal" shall mean and include the Procurator Fiscal of the Court having such Jurisdiction.

Parties lodging in Premises or encamping on Land, without Permission, guilty of an Offence.

3. Every Person who lodges in any Premises, or occupies or encamps on any Land, being private Property, without the Consent and Permission of the Owner or legal Occupier of such Premises or Land, and every Person who encamps or lights a Fire on or near any private Road or enclosed or cultivated Land, or in or near any Plantation, without the Consent and Permission of the Owner or legal Occupier of such Road, Land, or Plantation, or on or near any Turnpike Road, Statute Labour Road, or other Highway, shall be guilty of an Offence punishable as herein-after provided.

Apprehension and Punishment of Offenders.

4. Every Person who commits any Offence against the Provisions of this Act may, if found in the Act of committing the same by any Officer of Police or Constable, be apprehended by such Officer or Constable, and detained in any Prison, Police Station, Lock-up, or other Place of safe Custody, and not later than in the course of the next lawful Day after he shall have been so taken into Custody shall be brought before a Magistrate; and every Person charged with the Commission of any such Offence may, if not so taken into Custody, or if he shall have been liberated on Bail or Pledge, be summoned to appear before a Magistrate, and on being convicted of such Offence on his own Confession, or on the Evidence of One or more credible Witnesses, shall for a First Offence be liable to a Penalty not exceeding Twenty Shillings, or to Imprisonment for any Period not exceeding Fourteen Days, and for a Second or any subsequent Offence shall be liable to a Penalty not exceeding Forty Shillings, or to Imprisonment for any Period not exceeding Twenty-one Days.

As to Prosecutions under Act.

5. Every Prosecution for an Offence against the Provisions of this Act shall be raised and proceeded in at the Instance of the Procurator Fiscal, and shall be heard and determined by One or more Magistrate or Magistrates in a summary Form; and every such Prosecution shall be commenced within One Month after the Offence has been committed.

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CAP. LVII.

An Act to amend certain Provisions in "The Ecclesiastical Leasing Act, 1858."

[29th *June* 1865.]

WHEREAS Doubts have arisen as to the Interpretation of certain Provisions of the Ecclesiastical Leasing Act, 1858: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows, *viz.*: 21 & 22 Vict. c. 57.

1. The Monies which in respect of any Sale effected under the said Act shall become due and payable by way of perpetual annual Chief or other Rent or Rentcharge shall not be subject to the Provisions contained in the Second Section of the same Act, which require that all Monies which may become payable in respect of Sales under "the Ecclesiastical Leasing Acts" shall be paid to the Ecclesiastical

Monies for Sales under said Act payable by way of annual Chief Rent, &c. not subject to Sect. 2 of said Act.

Ecclesiastical Leasing Act (1858) *Amendment.*

Ecclesiastical Commissioners for *England*, to be invested and dealt with as contemplated by the said Section.

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and Form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1865.

The SCHEDULE of Orders.

1. CARRICKFERGUS.
2. HASTINGS.
3. MALDON.
4. NORTHAM.
5. SHANKLIN.

SCHEDULE to which the foregoing Act refers.

CARRICKFERGUS.

Order for the Amendment of The Carrickfergus Harbour Order, 1862.

1. Sections 4 to 16 (both inclusive) of the Carrickfergus Harbour Order, 1862, hereafter in this Order called the Order of 1862, with the Schedule therein referred to, are hereby repealed; but nothing herein contained shall invalidate any act done under the authority of those sections before this repeal takes effect, or affect any right, title, obligation, or liability then acquired or accrued thereunder. Repeal of Sections and Schedule in former Order.

Money.

2. The Commissioners may borrow on mortgage or bond at interest such sums of money as may be required for the purposes of the works authorized by this Order not exceeding in the whole the sum of 8,000*l.* Borrowing.

3. In order to create a sinking fund for the discharge of the principal money so borrowed the Commissioners shall yearly set apart the surplus annual revenue of the harbour (hereafter in this Order defined), and shall deposit the same in some Joint Stock Bank of Issue in Ireland, to be increased by accumulation, in the way of compound interest or otherwise, until the accumulated fund is sufficient to pay off the principal money borrowed, or any such part thereof as the Commissioners think ought to be then paid off, and the Commissioners shall then apply such accumulated fund in such payment accordingly, but so that the Commissioners shall not allow any sum exceeding 500*l.* to remain so deposited for a longer time than six calendar months without applying the same in such payment. Sinking Fund.

4. Any money borrowed under this Order, and discharged by means of the sinking fund, shall not be re-borrowed, but any money borrowed and discharged otherwise than by means of the sinking fund may be re-borrowed if required for the purposes of this Order, and so toties quoties. Re-borrowing.

5. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their respective mortgages by the appointment of a Receiver. The amount to authorize a requisition for a Receiver is 1,000*l.* Receiver.

6. Every part of the money borrowed under this Order shall be applied only for purposes authorized by this Order. Money to be applied to purposes of Order.

Lands.

7. For the purposes of this Order the Commissioners may, from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works, and also all or any part of the lands described in Schedule A. to the Order of 1862 annexed. Power to take specified lands by agreement.

8. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are incorporated with this Order. Lands Clauses Acts incorporated.

Works.

Works.

Power to make works.

9. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier and breakwater.

10. The works authorized by this Order are the following:—

(1.) A pier, with all proper approaches, works, and conveniences connected therewith, on the eastern side of the harbour of Carrickfergus, commencing near the seaward end of the existing pier or quay, and running in a southerly direction for a distance of 600 feet or thereabouts, then with a cant in a westwardly direction for a distance of 100 feet or thereabouts, such pier to be partly stone and partly open pile work,—and the excavation of soil on the western side of the said intended pier:

(2.) A stone breakwater to protect the same intended pier, 400 feet or thereabouts in length, lying about 350 feet to the westward of and parallel to the pier, with an easterly cant at the south end.

Rates.

Power to take rates according to Schedule.

11. The Commissioners may demand and receive in respect of the vessels, persons, goods, and things described in the Schedule hereto any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

12. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the pier and harbour authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Custom House Officers exempt.

13. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, from, and out of the pier and harbour by land, with their vessels and otherwise, without payment.

Application of rates and moneys received by the Commissioners.

14. The Commissioners shall apply all rates received under this Order, and all other moneys coming to their hands from the existing harbour or new works, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:—

(1.) In paying the costs of and connected with the preparation and making of this Order:

(2.) In paying from year to year the expenses of the maintenance, management, and regulation of the existing harbour and new works, and the lands and property connected therewith:

(3.) In paying the interest accrued due on any money borrowed under this Order, and any sum payable on account of the principal thereof:

(4.) In paying the rent accrued due in respect of the property described in Schedule A. to the Order of 1862 annexed, and in fining down such rent in pursuance of any agreement in that behalf made or to be made:

(5.) As to the surplus annual revenue of the harbour,—that is to say, so much of the rates and other moneys aforesaid as remains from year to

to year after making the several payments before in the present section directed,—in creating a sinking fund in manner and for the purposes before in this Order specified.

Construction, and short titles.

15. This Order shall be construed with the Order of 1862 as one Order, and may be cited as The Carrickfergus Harbour Amendment Order, 1865; and the Order of 1862 and this Order may be cited together as The Carrickfergus Harbour Orders, 1862 and 1865.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels entering or using the existing Harbour or New Works.

	s.	d.
For every vessel under the burden of 15 tons, per register ton -	0	4
For every vessel of the burden of 15 tons and under 50 - -	0	6
For " " 50 " 100 - -	0	8
For " " 100 " 150 - -	0	10
For " " 150 and upwards - - -	1	0
For every vessel which remains in the harbour more than three weeks continuously, there shall be paid for every week or part of a week during which the same remains in the harbour after the first three weeks the further sum, per register ton, of -	0	3
All lighters from any vessel in the roads shall be exempted from rates, but if the vessel do not enter the harbour every lighter shall pay for each trip, per ton - - - - -	0	2
All boats entirely open landing or taking on board goods, each -	0	6
All other boats entirely open, pleasure yachts, and boats employed in fishing, exempt.		

II.—Rates on Passengers landing on or embarking from the existing Harbour or New Works.

	s.	d.
For every person landing from or embarking in any steamboat or other passenger vessel any sum not exceeding - - -	0	2

III.—Rates on Goods shipped or unshipped at the existing Harbour or New Works.

	s.	d.
Alabaster, rough, per ton - - - - - - -	0	3
" worked, per cwt. - - - - - -	0	3
Ale, beer, or porter, per butt or pipe - - - -	1	0
" " per hogshead - - - -	0	6
" " per barrel - - - - -	0	3
" " in bottles, per dozen - - -	0	1
Ale, bottled, per barrel bulk - - - - - -	0	3
Animals, wild, each - - - - - -	0	9
" or birds, stuffed, per package - - - -	0	6
Anchors, per cwt. - - - - - - -	0	2
Apples, in bulk, per ton - - - - - -	0	6
Artificial manures, per ton - - - - -	0	8
Ashes, barilla, per cwt. - - - - - -	0	1
" pearl and pot, per cwt. - - - - -	0	2
" black, per cwt. - - - - - -	0	1
" bleaching, per cwt. - - - - -	0	2
" common Irish, per cwt. - - - - -	0	1
" soda, per cwt. - - - - - -	0	1
Asphaltum, per cwt. - - - - - - -	0	1
Bags or sacks (not returned), per bundle - - - -	0	1

	s.	d.
Bacon or pork, per cwt.	0	2
Ballast, per ton, registered measurement of vessel	0	3
Bark, tanners' chopped, per ton	1	0
Barley, per ton	0	3
Baskets, per dozen	0	1
Beans, per ton	0	3
Beef or pork, per tierce	0	4
„ „ per barrel	0	2
„ „ per half-barrel, and smaller package	0	1
„ „ per ton	1	0
Biscuit or bread, per cwt.	0	2
Bleaching-powder, per hhd.	0	6
„ per barrel	0	3
Blocks, ship, per dozen	1	0
Bogwood, per ton	0	3
Boilers, steam, large	2	6
„ small, under one ton each	0	9
Bone dust, per ton	0	8
Bottles, loose, empty, per gross	0	2
„ in baskets or carboys, full	0	6
Bran, per ton	0	3
Brandy, per hogshead	1	0
Bricks, common, per 1,000	0	8
„ fire, per 1,000	1	0
„ Bath, per 1,000	1	0
Butter, per cask	0	3
„ per firkin	0	1½
„ per barrel	0	4
Cables, per cwt.	0	2
Candles, tallow, chest of 14 dozen	0	6
„ „ half-chest	0	3
„ wax, per 12 lbs.	0	1
Canes, per bundle	0	6
Carriages or coaches, each	1	0
Carts, each	0	6
Casks, empty (not returned), each	0	2
Cattle, asses, and mules, each	0	3
„ bulls, each	0	3
„ cows and oxen, each	0	2
„ calves and lambs, each	0	0½
„ horses, each	0	2
„ pigs or sheep, each	0	0½
„ sucking pigs, each	0	0½
Cement, per cwt.	0	1
Chains, per cwt.	0	2
Chalk, per ton	0	8
Cheese, per cwt.	0	6
Chimney-pots, earthenware, each	0	1
China, per hogshead	1	6
„ per tierce	1	0
Cigars, per cwt.	0	6
Clay, pipe and potters', per ton	0	6
„ fire, per ton	0	3
Cloth, packs not exceeding 1 cwt.	0	4
Cloths, linen, woollen, bale, pack, or truss, per cwt.	0	4
„ in boxes, per foot	0	1
Cloverseed, per sack	0	3
Coals, per ton	0	3

	s.	d.
Coke, per ton	0	4
Copper, per ton	1	6
Cordage, per cwt.	0	2
Cordials, per case of 1 dozen	0	1
„ per hogshead	1	0
Corn, viz.:—		
Wheat, per ton	0	3
Barley, per ton	0	3
Oats, per ton	0	3
Barleymeal, per ton	0	4
Indian corn, per ton	0	3
„ meal, per ton	0	4
Oatmeal, per bag	0	2
Beans and peas, per bag	0	2
Rye, per bag	0	2
Corkwood, per cwt.	0	3
Corks, per ten gross	0	2
Culm, per ton	0	3
Currants, per butt	1	0
Dates, per cwt.	0	3
Dissolved bones and other artificial manures, per ton	0	8
Dogs, and other animals not enumerated, each	0	2
Drugs in casks, hampers, or boxes, at per foot	0	1
Dyers' stuff, per cwt.	0	4
Dyes, per cwt.	0	3
Earthenware, coarse, in bulk, per potters' dozen	0	3
„ in crates, at per crate	0	8
Eggs, per gross of 12 dozen	0	1
Empty bags or sacks (not returned), per bundle	0	1
Farming implements, per ton	1	4
„ „ per barrel bulk	0	2
Feathers, per bale	0	4½
„ per bag	0	3
Felt, per cwt.	0	1
Fish: herrings, cured, per barrel	0	3
„ other fish cured (not before specified), per cwt.	0	1
Flagstones, rough, per 100 feet	1	0
„ worked, per 100 feet	2	0
Flaxseed, per hogshead	0	6
„ per bag	0	3
„ per barrel	0	2
Flax, rough, per ton	1	0
„ dressed, per stone	0	1
„ per dozen hanks	0	1
Flour, per sack	0	2
„ per barrel	0	1½
Flower roots, plants, or trees, in packages, at per foot	0	1
Freestones, per ton	1	0
Fruit, green, per cwt.	0	1
„ dry, per cwt.	0	2
Fuel, patent, per ton	0	4
Furnaces, metal, per cwt.	0	3
Furniture, household, new, at per barrel bulk	0	1
Gas metres, per crate or box	0	6
„ each	0	1
Gates, iron or wood, each	0	2
Geese, per 100	1	0
Glass, per crib, slide, or case	0	6

	s.	d.
Grains, per ton	0	4
Grain, not enumerated, per ton	0	3
Granite, per ton	0	3
Grasseed, per sack	0	3
Grates or stoves, per foot	0	2
Gravel or sand, per ton	0	3
Groats, per cwt.	0	2
Groceries, per box, package, or hamper	0	4
Guano, per ton	0	8
Gunpowder, per barrel	0	3
„ per half-barrel	0	1½
Haberdashery and hosiery, in bales, per cwt.	0	4
„ „ in boxes, per foot	0	1
Hams, per cwt.	0	2
Hardware, per cwt.	0	2
Hats, per box, per foot	0	1
Hay, per ton	1	6
„ per truss	0	2
Hemp, per ton	1	6
Herrings, cured, per barrel	0	3
Hides, wet or dry, for every 100 in number	1	4
„ fleshings, per cwt.	0	2
Household furniture, new, per barrel bulk	0	1
„ belonging to parties changing their residence only, per 10 barrels bulk	0	6
Husbandry utensils, per ton	1	4
„ per barrel bulk	0	2
Ice, per ton	0	6
Iron, pig, per ton	0	8
„ bar, bolt, and wrought, per ton	1	4
„ plate and sheet, per ton	0	4
„ hoops, per cwt.	0	1
„ cask, hollow ware, per cwt.	0	3
„ cast solid, per cwt.	0	2
„ ore, per ton	0	4
„ scrap, per ton	0	6
„ wire and nailrods, per cwt.	0	1
Junk, or old ropes, per cwt.	0	1
Jute, per ton	0	6
Kelp, per ton	0	3
Kerb stones, per ton	0	3
Lead, pigs of, per ton	1	4
„ pipes, per ton	0	6
„ sheet, per cwt.	0	1
Lamps, each	0	1
Leather, tanned, per cwt.	0	2
„ wrought, per cwt.	0	3
Lemons, per chest	0	4
„ per box	0	2
Lime, burnt, per ton	0	6
Limestone, per ton	0	3
Linen or woollen rags, per cwt.	0	1
„ „ cloth, per cwt.	0	4
Linseed meal, per ton	1	0
„ cake, per ton	1	0
Liquor, in bottles, per case or box	0	6
Liquors (not enumerated), per hogshead	1	0
„ „ per barrel	0	6

	s.	d.
Loam, or moulding sand, per ton	0	3
Machinery :—		
Steam and other engines, and part of the same, per cwt.	0	2
Wood and iron mixed, per foot	0	1
Malt, per quarter	0	2
Manure (not enumerated), per ton	0	3
Marble, rough, per ton	1	0
,, worked, per cwt.	1	0
Masts or spars, each	0	6
Mats and matting, per parcel	0	2
Matches, per hogshead	0	3
,, per case or barrel	0	2
Maunds or hampers, empty, imported, per dozen	0	1
Meal, per bag (all kinds, not enumerated)	0	2
,, per ton	0	4
Meat, per cwt.	0	2
Metal castings (not enumerated), per cwt.	0	3
Millinery, per foot	0	1
Mineral and aërated waters, in bottles, per dozen	0	1
Muslin, per bale	0	6
,, per parcel	0	3
Nails, per cwt.	0	1
Naphtha, per puncheon	0	2
,, per carboy	0	1
Nuts, per bag or barrel	0	2
Oakum, per cwt.	0	1
Oars, per dozen	0	3
Oats, per ton	0	3
Oil, castor, per cwt.	0	4
,, sperm, per hogshead	1	0
,, sweet and lamp, and all oils not enumerated, per hogshead	0	10
,, in flasks, per chest	0	4
,, ,, per half-chest	0	2
Oilcake, per ton	1	0
Onions, per cwt.	0	1
Oranges, per box	0	2
,, per chest	0	4
Oysters, per ton	1	8
Paintings, pictures, and pier glasses, per foot	0	3
Paints and painters' colours, per cwt.	0	2
Pans, brass or metal, per cwt.	0	6
Paper, per cwt., common	0	1½
,, stationery, per cwt.	0	4
Peas, per bag	0	2
Petroleum, per ton	5	0
Perfumery, per package	0	3
Periodicals and newspapers, per parcel	0	1
Pipes for smoking, per hogshead	1	0
,, per barrel	0	6
Pipes, metal, per ton	0	8
,, earthenware, for draining, per ton	1	0
Ploughs, each	0	6
Potash, per cwt.	0	1
Potatoes, per ton	0	6
Poultry and game, per dozen	0	4
Puncheons, empty, and not returned, each	0	2
Putty, glaziers', per cask	0	3
Rags, per ton	1	0

	s.	d.
Raisins and figs, per cwt.	0	2
Rice, per tierce	0	8
„ per barrel	0	4
Rope-coil, per cwt.	0	2
Rope-coil yarn, per cwt.	0	1
Rosin, per barrel	0	1
Sacking, per bale	0	2
Sago, per cwt.	0	2
Sails, per cwt.	0	4
Salt, per ton	0	10
„ fine, per cwt.	0	4
„ coarse, for manure, or curing fish, per ton	0	3
„ rock, per ton	0	3
Sand or gravel, per ton	0	3
Scuttles, coal, per dozen	0	3
Scythe stones, per cwt.	0	3
Scythes, per dozen	0	2
Seeds, garden, or agricultural grass seeds, per cwt.	0	3
„ not enumerated, per cwt.	0	3
Shot, bird, per cwt.	0	3
Shovel handles, per dozen	0	1
Silk, per cwt.	0	8
Skins, per score	0	6
Slabs, marble, per ton	1	0
„ slate, per ton	0	3
Slates, scantle, per 1,000	0	3
„ common helling, per 1,000	0	2
Slate, earth or tombstone, per foot	0	0¼
Soap, per cwt.	0	2
Soda, per barrel	0	1
Soda-water, per dozen	0	1
Spades and shovels, per dozen	0	4
Spirits, foreign and British, per hogshead of 56 gallons	0	8
Starch, per cwt.	0	2
Steel, per cwt.	0	6
Sticks, walking, per bundle	0	2
Stones, per ton	0	3
„ grinding, per cwt.	0	1
„ Caen, for millstones, per 100	3	0
Straw, per ton	1	6
Sulphur, per cwt.	0	3
Sugar, soft, per cwt.	0	4
„ refined, in barrels	0	2
„ „ in hogsheads	1	4
Tar, pitch, or rosin, per barrel	0	2
Tea, per chest	1	6
Tiles, paving, per score	0	1
„ roofing, per 1,000	0	9
Timber, not enumerated, per load of 55 feet	0	6
„ mast pieces, under 12 inches, each	0	6
„ wainscot boards, per 100	1	0
Tinplate, per box	0	2
Tobacco, per cwt.	0	3
Tow, per ton	1	8
Toys, per case	0	3
Trawlbeams, each	0	4
Treacle or molasses, per puncheon	0	10
„ per half-puncheon	0	5
„ per cask	0	3

	s.	d.
Treenails, under 2 feet in length, per 1,000	0	6
„ exceeding 2 feet in length, per 1,000	1	0
Turf, per ton	0	6
Turnips or mangold, per ton	0	6
Turpentine, per cwt.	0	6
Twine or netting, per cwt.	0	3
Varnish, per barrel	0	6
Vegetables, shipped, per cwt.	0	1
Vetches, per ton	0	3
Vinegar, per pipe	1	0
„ per hogshead	0	6
„ per firkin	0	3
Vitriol, per carboy	0	6
Wheat, per ton	0	3
Whiskey, per puncheon	2	0
Whiting, per cwt.	0	1
Wine, foreign, per pipe, all sorts	2	6
„ British, per pipe, all sorts	1	6
„ per hogshead, all sorts	1	0
„ per barrel, all sorts	0	6
„ in bottles, all sorts, per dozen	0	2
Wood, deals, per 120	1	0
„ battens, Petersburg, per hundred	0	6
„ fir, pine, and other descriptions not enumerated, per load of 50 feet	0	10
„ oak or wainscot, per load of 50 feet	1	0
„ firewood, per fathom	0	6
„ laths and lathwood, per fathom of 216 cubic feet	2	6
„ spars, under 22 feet in length, above 2¼ and under 4 inches in diameter, per 120	2	6
„ spars, 2¼ inches in diameter and under, per 120	1	4
„ spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	6	6
„ spars, of all lengths, above 4 and under 6 inches in diameter, per 120	12	0
„ lignum vitæ, logwood, mahogany, rosewood, &c., per ton	1	4
Woollen manufactures, at per cwt.	0	8
Wool, per pack	0	4
Yarn, per cwt.	0	2
Zinc, per ton	1	4

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per barrel bulk	0	2
Heavy goods, per ton	1	4

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding two and a half cwt., to be rated as a barrel bulk, but when the weight of five cubic feet is greater than two and a half cwt. then two and a half cwt. to be rated as a barrel bulk.

IV.—RATES FOR THE USE OF THE CRANES, WEIGHING MACHINES, AND SHEDS OF THE COMMISSIONERS.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	3
Exceeding 1 ton and not exceeding 2 tons	0	4
" 2 tons " 3 tons	0	6
" 3 tons " 4 tons	0	8
" 4 tons " 5 tons	0	10
" 5 tons " 6 tons	1	0
" 6 tons	1	3

2d. Weighing Machines.

For goods weighed, 1*d.* for each ton or part of a ton.

3d. Shed Dues.

For each ton of goods of eight barrels bulk, or for each ton of goods of 20 cwt., which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

HASTINGS.

Order for the Amendment of The Hastings Pier and Harbour Order, 1862.

Repeal of part of Schedule to former Order.

1. The Schedule to The Hastings Pier and Harbour Order, 1862, hereafter in this Order called the Order of 1862, as far as it relates to the goods and things described in the Schedule hereto, is hereby repealed, but not so as to affect any right, title, obligation, or liability acquired or accrued thereunder.

Power to take rates according to Schedule to this Order.

2. The Company may demand and receive, in respect of the goods and things described in the Schedule to this Order, any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

3. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the pier, and not breaking bulk while making use thereof, be exempt from rates leviable under the Order of 1862 or this Order.

Power for Company to contract with persons for use of pier.

4. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms and for such a period, not exceeding one year, as may be agreed on; but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person, except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings,

shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, and this Order shall for all purposes be deemed "the special Act," within the meaning of that Act.

5. This Order shall be construed with the Order of 1862 as one Order, and may be cited as The Hastings Harbour Amendment Order, 1865; and the Order of 1862 and this Order may be cited together as The Hastings Harbour Orders, 1862 and 1865. Construction, and short titles.

SCHEDULE to which the foregoing Order refers.

	s.	d.
Cattle, viz.:		
Bulls, cows, and oxen, each	2	0
Calves, each	1	0
Horses, each	3	0
Pigs or sheep, each	0	6
Coals, Scotch, English, and culm, per ton	1	0
Fish:		
Dried and salted, per cwt.	0	3
Fresh, per cwt.	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of fifty feet	1	0
Oak, teak, and other hard wood, per load of forty feet	1	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per load of forty feet	1	6
All other goods not particularly enumerated:		
Light goods, per barrel bulk	0	4
Heavy goods, per ton	1	8

MALDON.

Order for the Improvement, Maintenance, and Regulation of the Harbour at Maldon in the County of Essex.

1. There shall be a body of Commissioners for carrying this Order into execution, not exceeding in number 14, which Commissioners and their successors are hereby, for the purposes of this Order, incorporated by the name of The Maldon Harbour Improvement Commissioners, and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order. Incorporation of Commissioners.

2. The term "the Commissioners," where hereafter used in this Order, means The Maldon Harbour Improvement Commissioners. Meaning of "the Commissioners."

3. The appointment of the Commissioners shall be regulated as follows:— Appointment of the several Commissioners.

(1.) The following ten persons are hereby appointed Commissioners, namely, Henry Ward, The Honourable William Swabey, William

Michael Tuffnell, Henry Thomas Eve, Thomas Isaac, Adolphus Piggot, John Granger Sadd, Robert Smith, William Humpherys, and Marven Porter Hicks:

(2.) The Commissioners, when incorporated, shall have power to appoint from time to time (but it shall not be obligatory on them to appoint) to be Commissioners other persons, not exceeding two in number, in addition to the ten persons herein-before named:

(3.) Whenever a vacancy is caused by death, resignation, or otherwise in the office of any person appointed a Commissioner by this Order or by the Commissioners, the Commissioners shall by a special order appoint another person to fill the vacancy, and so toties quoties:

(4.) The Board of Trade may, if they think fit, at any time after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation or otherwise, in the office of any one of those two Commissioners, may, if they think fit, appoint another person to fill the vacancy, and so toties quoties.

Incorporation of parts of 10 & 11 Vict. c. 16.

4. The Commissioners Clauses Act, 1847, (except sections 17, 19 to 35, both inclusive, and 95,) shall be incorporated with this Order, and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:—

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade) unless he is seized or possessed of property to the value of one thousand pounds:

(2.) With reference to section 39 of the last-mentioned Act, the prescribed number (constituting a quorum) of the Commissioners shall be five:

(3.) The Board of Trade shall appoint a permanent auditor of the accounts of the Commissioners.

Undertakers.

5. The Commissioners shall be the undertakers of the works authorized by this Order.

Commencement of Commissioners' powers

6. The Commissioners shall be deemed fully constituted and incorporated and shall commence to act under this Order immediately on the Commencement of this Order.

Limits of harbour.

7. The limits within which the Commissioners shall have authority (which shall be deemed the limits to which this Order extends) shall extend in and over the whole of the river Blackwater, from that part which is intercepted by the cross section No. 8. shown on the plan deposited with the Clerk of the Peace for the county of Essex of the proposed works (herein-after referred to as the deposited plan) to the bridge called Fullbridge at Maldon, and in and over the whole of Heybridge Creek up to the Stonebridge at Heybridge, and in and over all creeks, bays, inlets, and outlets running in, to, or out of the said river and creek within the aforesaid limits.

Power to take lands by agreement.

8 For the purposes of the works authorized by this Order the Commissioners may from time to time, by agreement, enter on, take, and use such lands near the entrance to, within, or around Heybridge Creek as may be required for the proposed works, not exceeding in the whole two acres.

9. The

9. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, shall be incorporated with this Order. Incorporation of Lands Clauses Acts.

10. Subject to the provisions of this Order, the Commissioners may, on the site designated by this Order, and according to the deposited plans and sections, execute and maintain the works shown on the deposited plans and sections. Power to execute works.

11. The works authorized by this Order comprise the following:— Description of works.

The cutting, deepening, widening, straightening, dredging, scouring, altering, and improving the course of the channel of the River Blackwater, commencing fifty yards or thereabouts above or to the south of the entrance to Heybridge Basin, and terminating five yards or thereabouts below or east of Fullbridge:

The cutting, deepening, widening, straightening, dredging, scouring, altering, and improving the course of that part of the River Blackwater, known as Heybridge Creek, commencing at the junction of the said creek with the said river, and terminating one hundred and thirty yards or thereabouts north of a piece of ground the property of the Great Eastern Railway Company:

The construction and maintenance of wharves or landing-places for enabling ships and other vessels to load and unload and discharge coals and other goods and commodities on the north side of the River Blackwater, at or near the entrance to and on the west side of Heybridge Creek.

12. The limits of deviation for the works authorized by the said Order shall extend to high-water mark on each side of the channel of the River Blackwater, as shown on the deposited plan. Defining limits of deviation.

13. If the entrance from the River Blackwater into the creek or channel in which the lock standing at the mouth of the canal of the said Company of Proprietors is built, or the said creek or channel, or any part thereof respectively, shall, by reason of the execution of any of the works authorized by this Order, be silted up or rendered less deep or narrower or less commodious than the same now is, the Commissioners shall (after reasonable notice so to do), at their own expense, dredge and cleanse the said entrance and the said creek or channel in such manner that the obstruction shall be wholly removed, and the said entrance and the said creek or channel shall be rendered as deep and wide and as commodious as the same now is; and if in the case aforesaid the Commissioners shall neglect so to dredge and cleanse the said entrance or the said creek or channel, or to remove the obstruction therefrom, the said Company of Proprietors may dredge and cleanse the same respectively, and may remove the obstruction therefrom, and shall recover the expenses thereby incurred from the Commissioners as liquidated damages. Entrance to creek to be kept open.

14. If any of the works of the said Company of Proprietors shall be injuriously affected by the works authorized by this Order, or by any insufficiency or deficiency in the execution of the works authorized by this Order, the Commissioners shall make compensation to the said Company of Proprietors for any loss that may be sustained by them thereby; the amount Compensation to be made to Company if works affected.

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of such compensation shall be settled by arbitration, or by a jury, in the manner provided by The Lands Clauses Consolidation Act, 1845, Section 68, which section (for the purpose of this present clause only) shall be incorporated with this Order.

Rates in Schedule.

15. Subject and according to the provisions of this Order, the Commissioners may (from and after the expiration of six months from the commencement of this Order) demand and receive in respect of vessels described in the Schedule hereto any sums not exceeding the sums specified in that Schedule.

Exemption from rates.

16. Vessels coming up the River Blackwater for the purpose of discharging and which shall discharge their cargoes below the limits of jurisdiction defined by this Order into lighters, barges, or boats for the purpose of being carried and which shall be carried into Heybridge Basin, thence to be carried by the canal of the Company of Proprietors of the Chelmer and Blackwater Navigation, or by land, shall not be liable to the rates leviable under this Order.

Certain fishing vessels under stress of weather exempt from rates.

17. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Custom house Officers exempt from rates.

18. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, through, and from the harbour by land, and with their vessels and otherwise, without payment.

Borrowing powers.

19. The Commissioners may from time to time borrow and reborrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of Twelve thousand pounds, on the security of the works authorized by this Order, and of the lands and property connected therewith, and of the rates, tolls, and dues authorized by this Order, or of any of those particulars, or of any other property of the Commissioners.

Repayment of money borrowed by instalments, or sinking fund.

20. The Commissioners shall, out of the tolls, rates, and duties aforesaid, either pay off the money borrowed under this Order by annual or other instalments within thirty years reckoned from the expiration of two years after the commencement of this Order, or else appropriate as a sinking fund every year, beginning with the expiration of the same term of two years, and until the money so borrowed is fully paid off, a sum equal to one thirtieth part of the money borrowed, and such sinking fund shall be invested, accumulated, and applied according to the provisions of section 84 of The Commissioners Clauses Act, 1847.

Receiver.

21. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their respective mortgages by the appointment of a receiver; and the amount to authorize a requisition for a receiver is One hundred pounds.

Money how to be applied.

22. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Application of rates and moneys received by the Commissioners.

23. The Commissioners shall apply all rates, tolls, and dues received under this Order, after defraying the expenses of collecting the same, and all other moneys coming to their hands from the works authorized by this Order, or the lands

lands or property connected therewith, for the purposes and in the order following, and not otherwise:—

1. In paying the costs of and connected with the preparation and making of this Order:
2. In paying the expenses of the construction, maintenance, management, and regulation of the works authorized by this Order:
3. In paying the interest accrued due on any money borrowed under this Order:
4. In from time to time providing the instalments or setting apart and appropriating the sinking fund prescribed by this Order for the repayment of money borrowed, as and when any such instalment or such sinking fund is required to be provided or set apart and appropriated:
5. In and towards the purposes of the said harbour.

Commissioners may provide engines, lighters, &c.

24. The Commissioners may, for the purposes of the works authorized by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving bells, ballast lighters, rubbish lighters tools, plant, or other materials as they think fit, and may from time to time, as they think fit, sell and dispose of any such dredges, engines, tugs, vessels, diving bells, lighters, tools, plant, and materials as aforesaid, and shall apply the money thereby realized for carrying into effect the purposes of this Order or some of them.

Power to maintain and dredge, &c.

25. The Commissioners from time to time may maintain the works authorized by this Order, and dredge and deepen the said river and creek within the limits of this Order, and may place and maintain moorings and buoys in the said river and creek within the limits aforesaid, and do all such lawful acts as they think necessary or proper for preventing or removing obstructions or impediments thereon or therein, and generally for preserving and facilitating the navigation within the limits of this Order; and the soil, gravel, and other materials taken out of or removed from the said river and creek within the limits of this Order shall become and be the property of the Commissioners, who may from time to time sell or otherwise dispose of the same, or remove and lay down the same within the limits of this Order, and afterwards from time to time again take up and remove and sell or otherwise dispose of the same; and all moneys arising therefrom, after payment of the expenses connected therewith, shall be applied for the purposes of this Order.

Pilotage, lights, buoys, and beacons.

26. The Commissioners shall be a local authority within the meaning of The Merchant Shipping Act, 1854, and the Acts amending the same, and shall have all the powers conferred by those Acts on local authorities.

Lands for extraordinary purposes.

27. The Commissioners shall not acquire for extraordinary purposes lands exceeding in extent in the whole three acres.

Parts of Harbours Clauses Act excepted.

28. Sections 16, 17, 18, 19, 25, and 26 of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Confirmation of byelaws and provision for management of harbour.

29. Byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes; and it shall not be lawful for the harbour master, by virtue of section 52 of that Act, or of any other authority, or for the Commissioners, to

give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as the byelaws expressly authorize him or them to do so.

Saving for corporations, &c.

30. Nothing in this Order shall take away or abridge any right, privilege, power, jurisdiction, or authority given or reserved to any person or corporation by any local or special Act of Parliament without the consent in writing of such person or corporation.

Short title.

31. This Order may be cited as The Maldon Harbour Order, 1865.

SCHEDULE to which the foregoing Order refers.

FOR EVERY VESSEL CARRYING CARGO COMING INTO, AND FOR EVERY VESSEL CARRYING CARGO GOING OUT OF, MALDON HARBOUR.

	s.	d.
If under 50 tons, per ton register - - - -	0	3
If of 50 tons and under 100 tons, per ton register. - - -	0	6
If of 100 tons and under 200 tons, per ton register - - -	0	9
If of 200 tons or upwards, per ton register - - - -	1	0

Unregistered vessels to pay at the same rate per ton according to the actual measurement thereof.

Vessels carrying cargo both on coming in and on going out of the harbour to pay full rate on inwards cargo, and half rate on outwards cargo. Barges of less than 50 tons are exempt from the half rate on such outwards cargo.

NORTHAM.

Order for the Construction, Maintenance, and Regulation of a Pier at Northam in the County of Devon.

The Undertakers.

1. The Northam Pier Company (Limited), hereafter in this Order called the Company, shall be the Undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Act Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and

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and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

6. The works authorized by this Order comprise the following:—

A pier, jetty, and landing place, with all proper works, approaches, and other conveniences connected therewith, for the embarking and landing of passengers, goods, and merchandise, and for other purposes, commencing at a point on the sea shore distant in a north-westerly direction twenty-six chains five yards or thereabouts from the north-west corner of the Northam Burrows Hotel in the Parish of Northam in the County of Devon, and extending from such point into the sea in a northerly direction a distance of 550 feet or thereabouts.

Power to take rates according to Schedule to this Order.

7. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule hereto any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

8. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Meters and weighers.

9. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Steam engines, diving bells, lighters, &c.

10. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, moorings, dredging machines, rubbish lighters, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Company may contract with persons for use of the pier.

11. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms and for such a period, not exceeding one year, as may be agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Restriction on the use of pier.

12. Nothing in this Order shall entitle any persons to ship or unship from vessels or boats at the pier or jetty authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier or jetty for recreation, or for the embarking or landing of passengers.

Parts of Harbours, Docks, and Piers Clauses Act, 1847, excepted.

13. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to twenty-three, both inclusive.

14. Officers

Custom House Officers exempt from rates.

14. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Part V. of 24 & 25 Vict. c. 47. to apply.

15. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Short title.

16. This Order may be cited as The Northam Pier Order, 1865.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:—		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0

	s.	d.
Cloth, haberdashery, &c., per package, not exceeding 1 cwt.	0	6
Carriages:—		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small ditto or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides:—		
Ox, cow, or horses (wet or dry), each	0	2
Iron:—		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical Instruments, per cube foot	0	1
Nets, per 5 cubic feet	0	4

	s.	d.
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and Lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and Tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and Game, per dozen	0	4
Rags and Old Rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins:—Calf, Goat, Sheep, Lamb, or Dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, Soap, and Candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and Zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and Varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto, bottled, per dozen bottles	0	2
Wood:—		
Fir, Pine, and other description not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and Lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Treenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

	s.	d.
Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

III.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1st. Rates of Craneage.

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2d. Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

3d. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—RATES FOR SUPPLYING WATER ON PIER.

Water, per 1,000 gallons	10	0

V.—RATES ON PASSENGERS AND PROMENADERS USING THE PIER.

For every passenger or other person who shall land on the pier from or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	6
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	4
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding	0	6
For every perambulator	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Northam, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	20	0

VI.—RATES

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VI.—RATES ON PASSENGERS LUGGAGE.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

SHANKLIN.

Order for the Construction, Maintenance, and Regulation of a Pier at Shanklin in the Isle of Wight in the County of Southampton.

The Undertakers

1. The Shanklin Bay Pier Company (Limited), hereafter in this Order called the Company, shall be the Undertakers of the Works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the Works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shewn on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:—

(1.) The construction of a promenade pier (with a landing place, and all necessary works and conveniences, for the embarking and landing of passengers, goods, and merchandise, and other purposes), commencing at a point near the present Coastguard House in the Parish of Shanklin, and extending seawards, east by south, 1,200 feet or thereabouts:

(2.) The improvement and formation of approaches to the pier by means of the following works:—

(a.) The widening of the road on the south-east side of the Chine Inn in Shanklin:

(b.) The making of a road or viaduct commencing at or near the north-east side of the road forming the north-east boundary of the grounds of Everton House, and terminating on the Cliff at or near its northern edge, south-west of the Chine, at a point about 30 yards westward of the south-eastern or seawards edge of the Cliff, in Shanklin.

6. The

6. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule hereto any sums not exceeding the rates in that Schedule specified. Power to take rates according to Schedule to this Order.

7. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order. Certain fishing vessels under stress of weather exempt from rates.

8. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms and for such a period, not exceeding one year, as may be agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act). Company may contract with persons for the use of the pier.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment. Custom House Officers exempt from rates

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres. Lands for extraordinary purposes.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier. Meters and weighers.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen and twenty-one to twenty-three, all inclusive. Parts of Harbours, &c. Act, 1847, excepted.

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

14. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order. Part V. of 24 & 25 Vict. c. 47 to apply.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier or jetty authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier or jetty for recreation, or for the embarking or landing of passengers. Restriction on use of pier.

16. This Order may be cited as The Shanklin Pier Order, 1865. Short title.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels Using the Pier.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:—		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package not exceeding cwt.	0	6
Carriages:—		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0

Pier and Harbour Orders Confirmation.

	s.	d.
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small ditto or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cube foot	0	1
Nets, per 5 cube feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6

	s.	d.
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins:—Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto, bottled, per dozen bottles	0	2
Wood:—		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Treenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a portion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton - - -	0	4
Exceeding 1 ton and not exceeding 2 tons - - -	0	6
„ 2 tons „ 3 tons - - -	0	8
„ 3 tons „ 4 tons - - -	0	10
„ 4 tons „ 5 tons - - -	1	0
„ 5 tons „ 6 tons - - -	1	2
„ 6 tons „ 7 tons - - -	1	4
„ 7 tons „ 8 tons - - -	1	6
„ 8 tons „ 9 tons - - -	1	10
„ 9 tons „ 10 tons - - -	2	4
„ 10 tons - - - - - -	3	6

2d. Weighing Machines.

For goods weighed, for each ton or part of a ton - - -	0	2

3d. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.		
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package - -	0	2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons - - - - - -	10	0

V.—Rates on Passengers and Promenaders using the Pier.

For every passenger or other person who shall land on the pier from or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding -	0	6
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding - - - - - - -	0	4
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - - -	0	6
For every perambulator - - - - - -	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Shanklin, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	20	0

VI.—RATES ON PASSENGERS LUGGAGE.

			s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.			0	2
Over 28 lbs. and not exceeding 84 lbs.			0	4
„ 84 lbs.	„	112 lbs.	0	5
„ 112 lbs.	„	140 lbs.	0	6
„ 140 lbs.	„	196 lbs.	0	7
„ 196 lbs.	„	2 cwt.	0	8
And for every cwt. beyond			0	4
And for every 20 lbs. weight in addition			0	1

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CAP. LIX.

An Act for confirming, with Amendments, a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage of the Port of *Sunderland*. [29th *June* 1865.]

WHEREAS a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, does not take effect unless and until it is confirmed by Act of Parliament: 25 & 26 Vict. c. 63.

And whereas the Board of Trade have made a Provisional Order with regard to the Port of *Sunderland*:

And whereas such Order has been amended by Parliament, and is as so amended set out in the Schedule hereto:

And whereas it is expedient that the said Order so set out in the Schedule hereto should be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Pilotage Order Confirmation (No. 2.)

Order in Schedule confirmed.

1. The Order set out in the Schedule hereto shall be and is hereby confirmed, and all the Provisions thereof, in manner and form as they are set out in the said Schedule, shall from and after the passing of this Act take effect and have full Validity and Force.

Short Title.

2. This Act may be cited as The (*Sunderland*) Pilotage Order Confirmation Act, 1865.

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SCHEDULE.

SUNDERLAND.

Amended Order referred to and confirmed by the foregoing Act.

1. There shall be a body of Commissioners for carrying this Order into execution, the full number of whom shall be fifteen, and such Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of The Sunderland Pilotage Commissioners, and by that name shall be one body corporate, with perpetual succession and a Common Seal, and with power to purchase, take, hold, and dispose of land and other property for the purposes but subject to the restrictions of this Order. The term "the Commissioners" herein-after used means the Sunderland Pilotage Commissioners.

2. The appointment, constitution, and election of the several Commissioners shall be regulated as follows:

(1.) The Board of Trade shall, as soon as may be after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of either of those Commissioners shall appoint another person to fill the office, and so toties quoties:

Provided always, that such appointments shall be determinable at such time or times as the Board of Trade may see fit:

(2.) The River Wear Commissioners, as incorporated by the Wear Navigation and Sunderland Dock Act, 1859, shall at their first monthly meeting after the passing of an Act confirming this Order appoint five members of their Board to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of those Commissioners shall appoint another member of their Board to fill the vacancy, and so toties quoties:

(3.) The Commissioner of the River Wear appointed for the time being by the Lord High Admiral or Lords of the Admiralty, or by the Board of Trade, shall be one of the Commissioners:

(4.) The registered Shipowners of Sunderland shall from time to time elect five persons to be Commissioners:

(5.) The Pilots duly licensed for the Port of Sunderland shall from time to time elect two persons to be Commissioners.

3. On the day of the first monthly meeting of the River Wear Commissioners held after the third Wednesday in September 1868, and on the like day in every subsequent third year, the Commissioners appointed by that Board shall retire from office but shall be eligible for re-appointment; and at the same meetings the River Wear Commissioners shall appoint five members of their Board to be Commissioners for the ensuing three years.

4. With

4. With respect to the election of Commissioners by the registered Shipowners the following provisions shall take effect:

(1.) For the purpose of this election the registered Shipowners, and the number of votes to be given by them, and the mode of election, except where this Order otherwise provides, shall be regulated by the 25th and other Sections relating thereto of the Wear Navigation and Sunderland Dock Act, 1859, which shall be considered as incorporated in this Order; but so long as a list of Shipowners shall be published by the River Wear Commissioners under the before-mentioned provisions, no further list need be made for the election of Pilotage Commissioners:

(2.) Within one month after the passing of an Act confirming this Order the Clerk to the River Wear Commissioners shall convene a meeting of such Shipowners by bills posted in the borough of Sunderland five days at least before such meeting, for the purpose of electing five Commissioners to represent the Shipowners:

(3.) On the third Wednesday in September 1868, and on the like day in every subsequent third year, the registered Shipowners shall elect five persons to be Commissioners for the ensuing three years, on which respective days the Commissioners previously elected shall retire from office, but shall be eligible for re-election:

(4.) Every person elected as a Commissioner by the registered Shipowners shall be required to have the following qualifications, namely:—to be entered in the list of registered Shipowners published for the time being under the provisions of the Wear Navigation and Sunderland Dock Act, 1859, as the owner of not less than 250 tons of shipping:

(5.) Section Nineteen of the Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

5. With respect to the election of Commissioners by the Pilots, the following provisions shall take effect:

(1.) Within one month after the passing of an Act confirming this Order the Clerk to the River Wear Commissioners shall convene a meeting of duly licensed Pilots, by bills posted in the borough of Sunderland five days at least before such meeting, for the purpose of electing two Commissioners to represent the Pilots:

(2.) On the third Wednesday in September 1868, and on the like day in every subsequent third year, the duly licensed Pilots shall elect two persons to be Commissioners for the ensuing three years, on which respective days the Commissioners previously elected shall retire from office, but shall be eligible for re-election:

(3.) The election of Commissioners by the Pilots at the first and every subsequent meeting shall be made by the majority of duly licensed Pilots present at such meeting; and at every such meeting the Chairman of the Commissioners, or if there is no Chairman, or in the absence of the Chairman of the Commissioners, one of the Commissioners appointed by the Board of Trade, shall attend and act as Chairman of such meeting, and shall be entitled to a casting vote:

(4.) Section 19. of The Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

6. The

6. The Commissioners Clauses Act, 1847, as far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order, (this Act being deemed "the Special Act," and the execution of the powers of this Order being deemed "the undertaking,") and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) Sections twenty-three to thirty-five, both inclusive, of the last-mentioned Act shall not be incorporated with this Order:

(2.) With reference to section thirty-nine of the same Act, the prescribed number constituting a quorum of the Commissioners shall be five:

(3.) With reference to section forty of the same Act, the annual meeting of the Commissioners shall be held within one week of the thirty-first of July:

(4.) Section fifty-four of the same Act shall not be incorporated with this Order:

(5.) With reference to section ninety of the same Act, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed:

(6.) With reference to section ninety-two of the same Act, the Commissioners shall from time to time appoint a permanent auditor of the accounts of the Commissioners:

(7.) With reference to the provisions of the same Act with respect to making of byelaws, duly licensed Pilots under this Order shall be deemed officers of the Commissioners; all byelaws shall be printed, and copies shall be always obtainable by purchase; no byelaws shall have effect unless and until they are approved by the Board of Trade.

7. The Commissioners shall be deemed fully constituted and incorporated, and shall commence to act under this Order, as soon as any five persons have been appointed Commissioners under this Order; and any proceeding of the Commissioners at any time shall not be invalidated by reason only of failure on the part of any authority or body to appoint or elect a Commissioner or Commissioners.

Limits of District.

8. The Pilotage District of the port, for the purposes of this Order, shall be deemed to extend from the promontory or point called Souter Point about two miles on the north side to Ryhope Dene about two miles on the south side of the Harbour of Sunderland.

9. The jurisdiction in pilotage matters within the District aforesaid now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order.

10. All Pilots licensed for the Port of Sunderland by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order shall be entitled to continue to act as such Pilots under the Commissioners

sioners incorporated by this Order for one year after the passing of such Act, without further licence, but in all other respects shall become and be subject to the authority of the Commissioners and the provisions of this Order, as if they had originally been severally licensed under this Order.

11. The Commissioners shall examine every person who applies to them for a Pilot licence, for the purpose of ascertaining his skill, knowledge, and experience in relation to the navigating, piloting, and conducting of Vessels into and out of the Port of Sunderland, and may, if they think fit, license and authorize by writing any person examined and found qualified to act in the capacity of Pilot for navigating, piloting, and conducting Vessels into and out of the Port of Sunderland, as aforesaid.

Pilotage Funds, &c.

12.—

(1.) Every Pilot to be licensed under this Order shall, on receiving his licence from the Commissioners, pay to them or their Clerk for the time being the sum of two pounds for such licence; and every Pilot already licensed for the port aforesaid shall within one month after the passing of an Act confirming this Order pay to the said Commissioners, or their Clerk for the time being, the sum of one pound ten shillings; and every Pilot already licensed or to be licensed shall, in addition to such before-named payment, on or before the thirtieth day of June in the year one thousand eight hundred and sixty-six, and on or before the like day in every succeeding year, pay to the Commissioners or their Clerk for the time being a renewal fee of two pounds; provided always, that the Commissioners may from time to time increase or diminish the said licence and renewal fees, or either of them, subject to the approval of the Board of Trade:

(2.) The licence of every Pilot neglecting or refusing to make either of such payments on or before the days herein-before-named shall be suspended until such payment is made; and the licence of every Pilot who neglects or refuses to make payment of the renewal fee on or before the thirty-first day of July in each year shall, in the discretion of the Commissioners, be revoked and cancelled:

(3.) The monies thus to be received shall, subject to the due payment of the current charges of the Commissioners in carrying out the Pilotage service in accordance with this Order, form a fund for superannuated and decayed Pilots, and temporary relief to their widows and orphans:

(4.) For the purpose of lessening the charges on the Pilotage fund, the River Wear Commissioners are hereby empowered to appropriate for the use of the Commissioners and their officers necessary board room and offices for transacting the business of the Commission, and also to otherwise act in reduction of the expenditure.

13. The following Pilotage dues shall be paid, namely:—

(1.) For every Vessel piloted and conducted into or out of the Port of Sunderland between the thirty-first day of March and the first day of

of October in each year, at the rate of one shilling and threepence for every foot of water which such Vessel draws:

(2.) For every Vessel so piloted and conducted between the thirtieth of September in any year and the first of April in the following year, at the rate of one shilling and sixpence for each such foot:

(3.) Subject to the approval of the Board of Trade, the Commissioners may raise the Pilotage dues payable inwards for Vessels above five hundred tons register, in addition to the dues aforesaid, by any sum not exceeding one halfpenny per ton on the excess of register tonnage over and above that number of tons, and may subject the payment of such additional dues to such regulations as in their judgment will more effectually secure the boarding of such Vessels before they arrive within six miles of the port:

(4.) The Pilotage dues shall be paid to the Commissioners or to the Pilot performing such pilotage duty within five days after the performance thereof:

(5.) Subject to the foregoing provisions, the Commissioners may from time to time increase or diminish the said pilotage dues, subject to the approval of the Board of Trade.

14. Nothing in this Order shall extend to oblige the Owner or Master of any Vessel to employ or make use of any Pilot in piloting or conducting such Vessel into or out of the said port, if he is not desirous so to do, or to pay any Pilotage dues when not employing or making use of a Pilot.

Miscellaneous.

15. All money (if any) standing in the books of the Trinity House of Newcastle-upon-Tyne to the credit of the Sunderland Pilotage District, or lawfully applicable thereto, at the time of the passing of an Act confirming this Order, shall be paid to the Commissioners incorporated by this Order.

16. All compensation money payable by the Commissioners of Her Majesty's Treasury under the provisions of section 12. of 24 & 25 Vict. c. 47. to the Trinity House of Newcastle-upon-Tyne for differential dues payable in respect of the said district shall, after the passing of an Act confirming this Order, be paid to and received by the Commissioners.

17. If the services of any persons at the time of the passing of an Act confirming this Order permanently employed by the Trinity House of Newcastle-upon-Tyne on duties connected with the Pilotage within the Sunderland District are not continued by the Commissioners, the Commissioners shall grant compensation to such persons out of the monies to come into their hands by virtue of this Order, such compensation not to be granted except under circumstances and to an amount under and to which compensation might be granted under the Act or Acts for the time being in force with respect to compensation for abolition of office in the public Civil Service.

18. The present Pilot Master of the Port of Sunderland shall, if he so desires, be continued in his office at his present salary during good conduct, and so long as he shall efficiently perform the duties of such office.

19. Nothing

19. Nothing in this Order shall exempt the Commissioners of the Pilotage district aforesaid from the provisions of any general Act of Parliament, now in force or hereafter to be passed, relating to Pilotage or Pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on shipping, or on goods carried therein, or from any future revision and alteration, under the authority of Parliament, of the Pilotage dues authorized by this Order, or of the limits of the district defined by this Order.

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CAP. LX.

An Act to render Owners of Dogs in *England* and *Wales* liable for Injuries to Cattle and Sheep.

[29th *June* 1865.]

WHEREAS it is expedient to amend the Law as to the Liability of the Owners of Dogs for Injuries done to Cattle and Sheep by such Dogs: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Owner of Dog to be liable in Damages for any Injury committed by his Dog.

Recovery of Damages.

1. The Owner of every Dog shall be liable in Damages for Injury done to any Cattle or Sheep by his Dog; and it shall not be necessary for the Party seeking such Damages to show a previous mischievous Propensity in such Dog, or the Owner's Knowledge of such previous Propensity, or that the Injury was attributable to Neglect on the Part of such Owner. Such Damages shall be recoverable in any Court of competent Jurisdiction by the Owner of such Cattle or Sheep killed or injured. Where the Amount of the Damages claimed shall not exceed Five Pounds, the same shall be recoverable in a summary Way before any Justice or Justices sitting in Petty Sessions under the Provisions of the Act Eleven and Twelve Victoria, Chapter Forty-three.

2. The

Who shall be deemed the Owner of the Dog.

2. The Occupier of any House or Premises where any Dog was kept or permitted to live or remain at the Time of such Injury shall be deemed to be the Owner of such Dog, and shall be liable as such, unless the said Occupier can prove that he was not the Owner of such Dog at the Time the Injury complained of was committed, and that such Dog was kept or permitted to live or remain in the said House or Premises without his Sanction or Knowledge: Provided always, that where there are more Occupiers than One in any House or Premises let in separate Apartments, or Lodgings, or otherwise, the Occupier of that particular Part of the Premises in which such Dog shall have been kept or permitted to live or remain at the Time of such Injury shall be deemed to be the Owner of such Dog.

Extent of Act.

3. This Act shall extend to *England* and *Wales* only.

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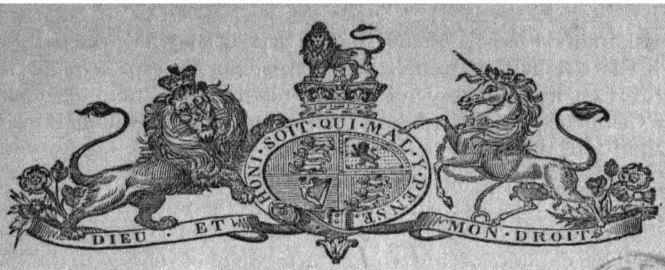

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CAP. LXI.

An Act for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and of creating a Central Arsenal.

[29th *June* 1865.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, having further considered the State, Condition, and Sufficiency of the Fortifications existing for the Defence of the United Kingdom, and being desirous to provide forthwith for the Construction of certain Works for the Defence of Your Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and for the Creation of a Central Arsenal, have cheerfully granted to Your Majesty the further Sum of Six hundred and fifty thousand Pounds, to be paid out of the Consolidated Fund, towards defraying the Expenses incurred or to be incurred for those Purposes, and we have resolved that a Sum not exceeding the said Sum of Six hundred and fifty thousand Pounds be raised by such Terminable Annuities as herein-after mentioned, and we do therefore

 most

most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Sum of 650,000*l.* to be issued out of the Consolidated Fund towards Expenses after mentioned.

1. Towards defraying the Expenses herein-after mentioned, any Sum or Sums, not exceeding in the whole the Sum of Six hundred and fifty thousand Pounds, shall be issued and applied out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or the growing Produce thereof, and it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to issue and apply the same accordingly.

Appropriation of the Money so issued to the Expenses of constructing Fortifications.

2. Such Sum or Sums as may be issued out of the Consolidated Fund, or the growing Produce thereof, as aforesaid, shall be applied as mentioned in the Schedule to this Act towards defraying the Expenses incurred or to be incurred in constructing the aforesaid Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at *Haulbowline*), and the Fortifications at *Dover* and *Portland*, and in purchasing the Land and Rights in Land that may be required for the Purposes of such Fortifications and Works; and the Commissioners of Her Majesty's Treasury shall from Time to Time apply such Sum or Sums accordingly: Provided always, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule, nor to apply to any Work any greater Sum than that which is set down in the Schedule as the total estimated Cost of the Work.

Treasury to raise 650,000*l.* by creating Annuities for a Term not exceeding Thirty Years.

3. To provide for the Issues to be made out of the Consolidated Fund or the growing Produce thereof, and to repay to the Consolidated Fund the Amount which may have been previously so issued under this Act, or for either of those Purposes, it shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or from Time to Time after the passing of this Act, to raise any Sum or Sums not exceeding in the whole the Sum of Six hundred and fifty thousand Pounds as herein-after mentioned; and for raising all or any Portions which may be so raised from Time to Time of the said Sum of Six hundred and fifty thousand Pounds it shall be lawful for the Commissioners of the Treasury to cause to be created, and vested in the Contributors to the said Sum or to the respective Portions thereof, Annuities for such Term not exceeding the Term of Thirty Years as the Commissioners of the Treasury may think fit to fix in the Contract with such Contributors, and to be payable half-

half-yearly by equal Payments on the Fifth Day of *April* and the Tenth Day of *October*.

Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.* and Terms of Payment of Subscription.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to contract, in such Manner and under such Regulations as they may deem advisable, with any Person or Persons, Body or Bodies Politic or Corporate, who may be willing to advance the whole or any Part of the said Sum of Six hundred and fifty thousand Pounds, or of the Portion thereof which the said Commissioners may at any Time think it requisite to raise, and to appoint and fix the Amount and Times of Payment of Deposits and Instalments of or in respect of the Sums contracted to be advanced, and to declare and fix the Term and the Amount of Annuity to be created under this Act to which the several Persons and Corporations advancing such Sums (who are herein referred to as the Contributors), their respective Executors or Administrators, Successors or Assigns, shall be entitled in respect of each One hundred Pounds contributed and paid, and to appoint on which of the half-yearly Days herein-before mentioned the First Half Year's Payment of Annuity shall become due, and the Time or Times at which the said Annuities or proportional Amounts thereof shall be placed in the Books of the Bank of *England* to the Credit of the respective Contributors, their Executors, Administrators, Successors, and Assigns, and to fix the Time during which Receipts for such Deposits or Instalments as aforesaid shall be assignable; and the several Contributors, their Executors, Administrators, Successors, or Assigns, shall be entitled for every One hundred Pounds by them respectively advanced and paid to an Annuity for such Term and of such Amount as shall be so fixed by the Commissioners of the Treasury, to be payable during the Term so fixed by half-yearly Payments as aforesaid, the first half-yearly Payment to be due as the said Commissioners may have appointed as aforesaid.

Power to Guardians, &c. to subscribe for Infants.

5. It shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant to contribute and pay for or towards advancing any Part of any Sum to be raised by Annuities in manner aforesaid; and such Infant, upon the Payment of such Sum or Sums subscribed by such Guardian or Trustee, shall become a Contributor within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages, and Payments in respect thereof in such and the like Manner as any other Contributor; and such Guardian or Trustee, as to the said Sum or Sums so advanced, is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money.

LIBRARY

6. All

Time at which Annuities may be transferred.

6. All Deposits, Instalments, and Sums to be paid by the Contributors, their Executors or Administrators, Successors or Assigns, in respect of any Portion of the said Sum of Six hundred and fifty thousand Pounds, shall be paid to the Cashier or Cashiers of the Governor and Company of the Bank of *England;* and as soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall, after Payment of the required Deposit, have made due Payment of any subsequent Instalment payable by them respectively on the Days appointed by the said Commissioners of the Treasury towards a Sum raised under this Act, such Contributors may have a proportional Amount of the Annuities to which they may be entitled in respect of such Instalment forthwith placed in the Books of the Bank of *England* to the Credit of such respective Contributors, their Executors, Administrators, Successors, or Assigns, and on Payment of the last Instalment such Contributors, their Executors, Administrators, Successors, or Assigns, shall have a proportional Amount of like Annuities placed to their respective Credits corresponding, at the Rate aforesaid, to the aggregate Amount of the Deposit and of such last Instalment; and the Persons to whose Credit such Annuities, or such proportional Parts thereof, shall be so placed, their respective Executors, Administrators, Successors, and Assigns, shall have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate whatsoever, in the Books of the Bank of *England* (in such Manner as is herein-after directed); and the said Governor and Company of the Bank of *England* are hereby required, as soon as conveniently may be after Notice from the Commissioners of the Treasury for the Purpose, to prepare proper Books for the Purpose of entering the Names of all such Contributors, and of placing to their Credit the Annuities to which they will be entitled under this Act.

Contributors may anticipate Payments.

7. All such Contributors, their Executors, Administrators, Successors, or Assigns, who shall pay into the Hands of the said Cashier or Cashiers the whole of their respective Contribution Money, or any Part thereof, in anticipation of the Instalments appointed by the Commissioners of the Treasury, or any of them, shall be entitled to have forthwith inscribed into their respective Names the whole or such proportional Amount of the said Annuities; but Discount shall not be allowed on any such Payment in anticipation of any of the said Instalments.

Annuities payable, &c. at the Bank.

8. All the Annuities created under this Act shall be payable and paid and be transferable at the Bank of *England.*

9. So

9. So much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the said Cashier or Cashiers of the Governor and Company of the Bank of *England*, as shall be sufficient to satisfy and pay the said Annuities to be created under the Act, together with the Charges attending the same, and all the said Annuities shall be charged and chargeable upon and are hereby charged upon and made payable out of the said Consolidated Fund.

Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, and shall be charged upon the said Fund.

10. For the more easy and sure Payment of the Annuities established by this Act, the said Governor and Company of the Bank of *England* and their Successors shall from Time to Time, until all the said Annuities shall have expired, appoint and employ One or more sufficient Person or Persons within their Office in the City of *London* to be their Chief or First Cashier or Cashiers, and One or other sufficient Person within the same Office to be their Accountant General; and so much of the Money by this Act to be set apart for the Purpose as shall be sufficient from Time to Time to answer the said Annuities and the Charges attending the same shall, by Order of the Commissioners of Her Majesty's Treasury, without any further Warrant to be sued for, had, or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer to the said Chief or First Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the Dividends payable by virtue of this Act; and such Cashier or Cashiers to whom the said Money shall from Time to Time be issued shall from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof to the Commissioners for auditing the Public Accounts; and the said Accountant General for the Time being shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

Bank of England to appoint a Cashier and an Accountant General, and Treasury to order Money to be issued to the Cashier for Payment of Annuities.

LIBRARY

11. The Cashier or Cashiers of the Governor and Company of the Bank of *England* who shall receive any Deposits or Instalments from Contributors in respect of any Portion of the said Sum of Six hundred and fifty thousand Pounds shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums, and also Warrants for the proportional Amounts of Annuity to be created in respect of the Instalments intermediate between the Deposit and the last Instalment on the Payment of those Instalments respectively;

Cashier to give Receipts for Subscriptions, and pay the Money he receives into the Exchequer.

tively; and the Receipts and Warrants so to be given shall be assignable and transferable by Delivery thereof during such Time as shall have been fixed by the Commissioners of Her Majesty's Treasury, and no longer; and such Cashier or Cashiers shall give Security to the Satisfaction of the Commissioners of Her Majesty's Treasury for duly answering and paying into the Receipt of the Exchequer as after mentioned all the Monies which he or they shall hereafter receive from Time to Time of and for any Portion of the said Sum of Six hundred and fifty thousand Pounds, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from Time to Time pay all such Monies as soon as he or they shall receive the same or any Part thereof, or within Five Days afterwards at the furthest, into and shall account for the same in the Exchequer, according to the due Course thereof.

The Money paid into the Exchequer to form Part of the Consolidated Fund.

12. All such Sums of Money as shall be from Time to Time paid into the Receipt of Her Majesty's Exchequer in respect of the said Sum of Six hundred and fifty thousand Pounds, or any Portion thereof, raised by Annuities as aforesaid, shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.

13. In the Office of the Accountant General of the Governor and Company of the Bank of *England* for the Time being a Book or Books shall be provided and kept, in which the Names of the Contributors to any Portion of the said Sum of Six hundred and fifty thousand Pounds, which may be raised under this Act, shall be fairly entered, which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may from Time to Time and at all seasonable Times resort to and inspect without any Fee or Charge; and the said Accountant General shall, at such Time or Times as may be directed by the Commissioners of the Treasury, transmit an attested Duplicate fairly written on Paper of the said Book or Books into the Office of the Receipt of the Exchequer, there to remain for ever.

As to Subscriptions paid in part, and not completed, forfeited.

14. In case any such Contributors to any Portion of the Sum of Six hundred and fifty thousand Pounds which may be raised under this Act, after having paid to the said Cashier or Cashiers any Sum or Sums of Money as a Deposit, at the Time and in the Manner appointed by the Commissioners of the Treasury, in part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums

so subscribed at the Times and in the Manner which shall have been appointed by the Commissioners of the Treasury, then and in every such Case such Deposit shall be forfeited for the Benefit of the Public, and all Right and Title to the said Deposit, and to the Annuity in respect thereof, shall be extinguished.

Annuities to be deemed Personal Estate.

15. All Persons and Corporations who shall be entitled to any of the Annuities which may be created under this Act, and all Persons and Corporations lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London* or otherwise.

Accountant General to keep Books for entering Transfers.

16. Books shall be constantly kept by the said Accountant General for the Time being wherein all Assignments or Transfers of all Annuities created under this Act shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by their respective Attorney or Attorneys thereunto lawfully authorized in Writing under his or their Hand and Seal or Hands and Seals, to be attested by Two or more Witnesses; and the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof, and no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law; and no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

No Stamp Duties to be charged on Transfers.

Power to Treasury to add Annuities created under this Act to Stock of existing Terminable Annuities of like Duration.

17. Provided, That it shall be lawful for the Commissioners of Her Majesty's Treasury, if they think it expedient so to do, for raising all or any Portion of the said Sum of Six hundred and fifty thousand Pounds, to contract and provide that all or any of the Terminable Annuities to be created under the Provisions of this Act in respect of such Sum or Portion as aforesaid shall be consolidated with and deemed Part of the Joint Stock of the Terminable Annuities created by the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Eighteen, or of the Joint Stock of any Terminable Annuities transferable at the Bank of *England*, and charged on the Consolidated Fund, by the Authority of Parliament, for the same Term for the Time being unexpired, and payable on the same half-yearly Days, as the Annuities which they may contract to create, and in every such Case the Annuities to be created under this Act shall be added to and form Part of the Joint Stock of the previously existing Annuities accordingly.

18. It

Allowance to Bank of England for the Expense of Management.

18. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Payment out of the Consolidated Fund to the Governor and Company of the Bank of *England* of the Sum of Six hundred Pounds for the said Contributions as an Allowance for the Service, Pains, and Labour of the said Cashier or Cashiers employed in receiving, paying, and accounting for the same, and also for the Service, Pains, and Labour of the said Accountant General for performing the Trust reposed in him by this Act, which Allowance in respect of the Service, Pains, and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company shall be for the Use of the said Governor and Company, and at their Disposal only.

Fortifications, &c. to be executed under the Direction of the Secretary of State for War.

19. The Fortifications, Works, and Central Arsenal, the Expenses of constructing and providing which are to be defrayed under this Act, shall be constructed and provided respectively under the Direction of Her Majesty's Principal Secretary of State for the War Department, and the Land to be purchased and acquired for the Purposes of such Fortifications, Works, and Central Arsenal shall be vested in the said Secretary of State on behalf of Her Majesty.

Accounts to be laid before Parliament.

20. The Commissioners of Her Majesty's Treasury shall in the Month of *April* in the Year One thousand eight hundred and sixty-six, and in every subsequent Year in which any Part of the said Sum of Six hundred and fifty thousand Pounds shall be issued from the Consolidated Fund or raised by Annuities under this Act, cause to be prepared an Account of the Monies raised under this Act up to the First Day of that Month, and of the Amount of Annuities created in respect of the Money so raised, and of the Monies which shall have been issued out of the Consolidated Fund in respect of the Sum of Six hundred and fifty thousand Pounds charged on that Fund under this Act up to the First Day of *April*, specially showing the Works or Purposes for or in respect of which the Monies may have been applied, and showing the Amount, if any, which may remain to be raised of the said Sum of Six hundred and fifty thousand Pounds authorized to be raised under this Act, and the Amount, if any, remaining to be issued or applied of the said Sum of Six hundred and fifty thousand Pounds charged on the said Consolidated Fund; and every such Account shall be laid before both Houses of Parliament forthwith after the Preparation thereof, or if Parliament be not sitting then within Fourteen Days after the next meeting of Parliament.

Persons counterfeiting Receipts

21. If any Person shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging

forging or counterfeiting, any Receipt or Receipts for the whole or any Part or Parts of the said Contributions towards any Sum raised under this Act, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors thereto, or Payer or Payers thereof or of any Part or Parts thereof, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of *England*, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person so forging or counterfeiting or altering, or causing or procuring to be forged or counterfeited or altered, or willingly acting or assisting in the forging or counterfeiting or altering, uttering, or publishing as aforesaid, shall be guilty of Felony, and being convicted thereof shall, at the Discretion of the Court, be liable to be kept in Penal Servitude for any Term not less than Three Years, or to be imprisoned, with or without Hard Labour, or with or without Solitary Confinement, for any Term not exceeding Two Years.

for Contributions, &c. guilty of Felony.

22. The said Governor and Company of the Bank of *England* and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Annuities created under this Act shall cease.

Bank to continue a Corporation till the Annuities hereby granted cease.

SCHEDULE.

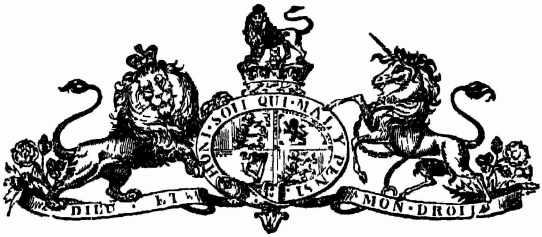
Station.	District.	Name of Work	Estimated Cost.	Expended to 31st March 1865.	Amount already voted.	Amount proposed 1865–6.	Further Amount to complete.
			£	£	£	£	£
Portsmouth -	Spithead and Sea Defences						
	Outer Line -	Horse Sand Fort -	260,000	107,167	158,000	150,000	552,000
		No Man's Land - -	290,000				
		Other Spithead Works -	310,000				
		Puckpool and St Helen's Batteries	87,000	16,092	32,000	20,000	35,000
	Inner Line -	Gilkicker Battery -	50,000	1,655	25,000	5,000	20,000
		Southsea Castle -	55,000	30,453	45,000	10,000	—
		Eastney Batteries -					
		Lumps Battery - -					
	Defences of Needles Passage	Hurst Castle - -	108,000	39,707	73,000	20,000	15,000
		Needles Battery - -	80,000	28,655	57,500	15,500	7,000
		Hatherwood - -					
		Warden Point - -					
		Cliff End - -					
		Golden Hill - -					
	Isle of Wight Coast Defences -	Sandown Bay Defences Military Road and Posts for Defence of South-west Coast.	140,000	106,434	120,000	20,000	—
	Land Defences: Outer Line -	Fort Purbrook and Outworks.	535,000	352,382	463,000	40,000	32,000
		Fort Widley - -					
		Fort Southwick - -					
		Fort Nelson - -					
		Fort Wallington - -					
		Fort Fareham - -					
	Inner Line -	Hilsea Lines - -	308,000	213,261	278,000	30,000	—
		Fort Grange - -					
		Fort Rowner - -					
		Fort Brockhurst - -					
		Stokes Bay Lines -					
Plymouth -	Harbour Defences: Outer Line -	Staddon Point Battery	60,000	12,761	40,000	10,000	10,000
		Breakwater Battery -	145,000	69,805	70,000	30,000	45,000
		Picklecombe Battery -	80,000	25,522	45,000	20,000	15,000
		Cawsand Bay - -	13,000	12,929	13,000	—	—
	Inner Line -	Mount Edgcumbe Battery.	47,000	36,885	47,000	—	—
		Drake's Island Battery					
		Western King Battery					
		Eastern King Battery -					
	Land Defences: Antony -	Fort Tregantle - -	260,000	208,547	255,000	5,000	—
		Fort Scraesdon - -					
	Maker - -	Knatterbury - -	35,000	12,989	14,000	1,000	20,000
		Whitesand Bay - -					
		Maker Barrack - -					
	N.E. Division	North-eastern Defences	350,000	58,685	140,000	80,000	130,000
	Staddon -	Staddon Fort - -	168,000	127,384	163,000	—	5,000
		Fort Stamford - -					
	Devonport -	Devonport Lines - -	10,000	7,537	9,500	500	—

Fortifications (Provision for Expenses).

Station.	District.	Name of Work.	Estimated Cost.	Expended to 31st March 1865.	Amount already voted.	Amount proposed 1865–6.	Further Amount to complete.
Pembroke -	Milford Haven Sea Defences -	Stack Rock Fort -	216,000	155,197	198,000	14,000	4,000
		South Hook Battery -					
		Hubberstone Battery -					
		Popton Battery - -					
		Chapel Bay Battery -					
	Land Defences	Fort Scoveston (North of Milford Haven).	50,000	14,569	36,000	10,000	4,000
		Works to Southward of Milford Haven.	80,000	—	25,000	—	55,000
Portland -	Portland - -	Verne Citadel and Batteries connected therewith.	120,000	90,550	107,000	10,000	3,000
		Nothe Fort - -	87,000	73,725	80,000	4,000	3,000
		Breakwater Batteries -	145,000	55,449	85,000	10,000	50,000
Gravesend -	Thames - -	Coalhouse Fort - -	90,000	39,621	60,000	5,000	25,000
		Cliffe Fort - - -	80,000	32,795	53,000	7,000	20,000
		Shornmead - -	80,000	30,342	50,000	5,000	25,000
		Slough Battery - -	20,000	5,719	10,000	10,000	—
Medway and Sheerness	Sea Defences -	Isle of Grain - -	180,000	111,268	146,000	24,000	10,000
		Garrison Point -					
		Hoo Fort - -	109,000	55,889	74,000	—	35,000
		Darnet Fort - -					
	Works in front of Mile Town	Works in front of Mile Town.	40,000	14,865	25,000	—	15,000
Chatham -	Eastern - -	Eastern Defences -	500,000	—	—	—	500,000
Dover -	Dover - -	Castle Hill Fort -	278,000	245,027	275,000	—	3,000
		Dover Castle - -					
		Western Heights -					
Cork -	Cork - -	Spike Island Defences -	10,000	2,443	6,000	2,000	2,000
		Carlisle Fort - -	79,000	21,888	42,000	7,000	30,000
		Camden Fort - -	70,000	15,199	30,000	15,000	25,000
		Total Works -	5,625,000	2,433,396	3,350,000	580,000	1,695,000
Incidental Expenses (Works and Experiments) - -			140,000	114,500	120,000	20,000	
Site for Central Arsenal - - - - - -			150,000	—	—	—	150,000
Lands, including Cost of Surveys, Surveyors' Charges, legal and other incidental Expenses - - - - -			1,080,000	1,026,997	1,030,000	50,000	
		£	6,995,000	3,574,893	4,500,000	650,000	1,845,000

	£
Provided for by 23 & 24 Vict. c. 109. - - -	2,000,000
Provided for by 25 & 26 Vict. c. 78. - - -	1,200,000
Provided for by 26 & 27 Vict. c. 80. - - -	650,000
Provided for by 27 & 28 Vict. c. 109. - - -	650,000
Total of this Enactment - - - - -	650,000
Total of the Five Enactments - - -	£ 5,150,000

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

***

Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Places exclusively appropriated to Public Religious Worship in Scotland not liable for Poor Rates.

1. No Person shall be rated or be liable to be rated for or to pay any Poor Rates for or in respect of any Church, Chapel, Meeting House, or Premises in *Scotland* exclusively appropriated to Public Religious Worship; and no Person shall be liable to any such Rates because such Church, Chapel, Meeting House, or other Premises, or any Room belonging thereto, or any Part thereof, may be used for *Sunday* or Infant Schools, or for the charitable Education of the Poor.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

BENGAL SECRETARIAT LIBRARY.

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CAP. LXIII.

An Act to remove Doubts as to the Validity of Colonial Laws. [29th *June* 1865.]

WHEREAS Doubts have been entertained respecting the Validity of divers Laws enacted or purporting to have been enacted by the Legislatures of certain of Her Majesty's Colonies, and respecting the Powers of such Legislatures, and it is expedient that such Doubts should be removed:

Be it hereby enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definitions: "Colony:"

1. The Term "Colony" shall in this Act include all of Her Majesty's Possessions abroad in which there shall exist a Legislature, as herein-after defined, except the Channel Islands, the *Isle of Man*, and such Territories as may for the Time being be vested in Her Majesty under or by virtue of any Act of Parliament for the Government of *India*:

"Legislature." "Colonial Legislature:"

The Terms "Legislature" and "Colonial Legislature" shall severally signify the Authority, other than the Imperial Parliament or Her Majesty in Council, competent to make Laws for any Colony:

"Representative Legislature:"

The Term "Representative Legislature" shall signify any Colonial Legislature which shall comprise a Legislative Body of which One Half are elected by Inhabitants of the Colony:

"Colonial Law:"

The Term "Colonial Law" shall include Laws made for any Colony either by such Legislature as aforesaid or by Her Majesty in Council:

Act of Parliament, &c. to extend to Colony when made applicable to such Colony:

An Act of Parliament, or any Provision thereof, shall, in construing this Act, be said to extend to any Colony when it is made applicable to such Colony by the express Words or necessary Intendment of any Act of Parliament:

"Governor:"

The Term "Governor" shall mean the Officer lawfully administering the Government of any Colony:

"Letters Patent."

The Term "Letters Patent" shall mean Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*.

Colonial Law when void for Repugnancy.

2. Any Colonial Law which is or shall be in any respect repugnant to the Provisions of any Act of Parliament extending to the Colony to which such Law may relate, or repugnant to any Order or Regulation made under Authority of such Act of Parliament, or having in the Colony the Force and Effect of such Act, shall be read subject to such Act, Order, or Regulation, and shall, to the Extent of such Repugnancy, but not otherwise, be and remain absolutely void and inoperative.

Colonial Law when not void for Repugnancy.

3. No Colonial Law shall be or be deemed to have been void or inoperative on the Ground of Repugnancy to the Law of *England*, unless the same shall be repugnant to the Provisions of some such Act of Parliament, Order, or Regulation as aforesaid.

Colonial Law not void for Inconsistency with Instructions.

4. No Colonial Law, passed with the Concurrence of or assented to by the Governor of any Colony, or to be hereafter so passed or assented to, shall be or be deemed to have been void or inoperative by reason only of any Instructions with reference to such Law or the Subject thereof which may have been given to such Governor by or on behalf of Her Majesty, by any Instrument other than the Letters Patent or Instrument authorizing such Governor to concur in passing or to assent to Laws for the Peace, Order, and good Government of such Colony, even though such Instructions may be referred to in such Letters Patent or last-mentioned Instrument.

Colonial Legislature may establish, &c. Courts of Law.

5. Every Colonial Legislature shall have, and be deemed at all Times to have had, full Power within its Jurisdiction to establish Courts of Judicature, and to abolish and reconstitute the same, and to alter the Constitution thereof, and to make Provision for the Administration of Justice therein; and every Representative Legislature

Legislature shall, in respect to the Colony under its Jurisdiction, have, and be deemed at all Times to have had, full Power to make Laws respecting the Constitution, Powers, and Procedure of such Legislature; provided that such Laws shall have been passed in such Manner and Form as may from Time to Time be required by any Act of Parliament, Letters Patent, Order in Council, or Colonial Law for the Time being in force in the said Colony.

Representative Legislature may alter Constitution.

6. The Certificate of the Clerk or other proper Officer of a Legislative Body in any Colony to the Effect that the Document to which it is attached is a true Copy of any Colonial Law assented to by the Governor of such Colony, or of any Bill reserved for the Signification of Her Majesty's Pleasure by the said Governor, shall be *primâ facie* Evidence that the Document so certified is a true Copy of such Law or Bill, and, as the Case may be, that such Law has been duly and properly passed and assented to, or that such Bill has been duly and properly passed and presented to the Governor; and any Proclamation purporting to be published by Authority of the Governor in any Newspaper in the Colony to which such Law or Bill shall relate, and signifying Her Majesty's Disallowance of any such Colonial Law, or Her Majesty's Assent to any such reserved Bill as aforesaid, shall be primâ facie Evidence of such Disallowance or Assent.

Certified Copies of Laws to be Evidence that they are properly passed.

Proclamation to be Evidence of Assent and Disallowance.

And whereas Doubts are entertained respecting the Validity of certain Acts enacted or reputed to be enacted by the Legislature of *South Australia:* Be it further enacted as follows:

7. All Laws or reputed Laws enacted or purporting to have been enacted by the said Legislature, or by Persons or Bodies of Persons for the Time being acting as such Legislature, which have received the Assent of Her Majesty in Council, or which have received the Assent of the Governor of the said Colony in the Name and on behalf of Her Majesty, shall be and be deemed to have been valid and effectual from the Date of such Assent for all Purposes whatever; provided that nothing herein contained shall be deemed to give Effect to any Law or reputed Law which has been disallowed by Her Majesty, or has expired, or has been lawfully repealed, or to prevent the lawful Disallowance or Repeal of any Law.

Certain Acts enacted by Legislature of South Australia to be valid.

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CAP. LXIV.

An Act to remove Doubts respecting the Validity of certain Marriages contracted in Her Majesty's Possessions abroad. [29th *June* 1865.]

WHEREAS Laws have from Time to Time been made by the Legislatures of divers of Her Majesty's Possessions abroad for the Purpose of establishing the Validity of certain Marriages previously contracted therein, but Doubts are entertained whether such Laws are in all respects effectual for the aforesaid Purpose beyond the Limits of such Possessions: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Colonial Laws establishing Validity of Marriages to have Effect throughout Her Majesty's Dominions.

1. Every Law made or to be made by the Legislature of any such Possession as aforesaid for the Purpose of establishing the Validity of any Marriage or Marriages contracted in such Possession shall have and be deemed to have had from the Date of the making of such Law the same Force and Effect for the Purpose aforesaid within all Parts of Her Majesty's Dominions as such Law may have had or may hereafter have within the Possession for which the same

Not to give effect to Marriages unless Parties are competent to contract Marriage

same was made: Provided that nothing in this Law contained shall give any Effect or Validity to any Marriage unless at the Time of such Marriage both of the Parties thereto were, according to the Law of *England*, competent to contract the same.

Definition of "Legislature."

2. In this Act the Word "Legislature" shall include any Authority competent to make Laws for any of Her Majesty's Possessions abroad, except the Parliament of the United Kingdom and Her Majesty in Council.

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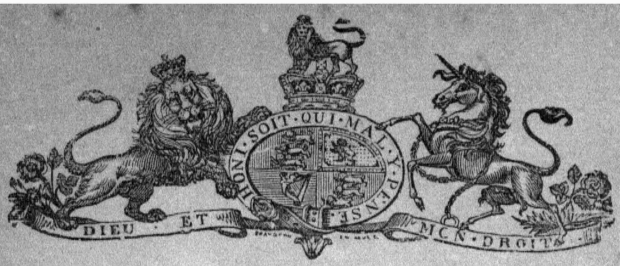

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CAP. LXVI.

An Act to allow the charging of the Excise Duty on Malt according to the Weight of the Grain used. [29th *June* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act shall (except where otherwise expressly enacted) commence and take effect on the First Day of *September* One thousand eight hundred and sixty-five. Commencement of Act.

2. Any Maltster who shall desire to have the Duty payable upon Malt made by him charged according to the Weight of the Corn or Grain used in the making of such Malt under the Provisions of this Act shall give Notice in Writing of such his Desire to the Officer of Excise under whose Survey he shall be, and upon his complying with the Provisions of this Act in other respects he shall be entitled to have the Duty charged accordingly in respect of any Corn or Grain which he shall wet or steep at any Time and from Time to Time after the Expiration of Four clear Days from the giving of such Maltster entitled to have the Duty upon Malt made by him charged according to the Weight of the Grain used.

such Notice: Provided always, that if the Maltster who shall have given such Notice shall not begin to make, or shall discontinue making, Malt to be charged with Duty under the Provisions of this Act, for the Space of One Calendar Month, the Notice given by him shall be of no further Avail, and he shall not be entitled to the Privilege of having the Duty on Malt made by him charged under the Provisions of this Act until after he shall have given a fresh Notice in the Manner herein-before required.

Cover to be affixed to Cistern.

3. Every Maltster who shall have given such Notice as aforesaid shall, before he shall place any Corn or Grain in any Cistern for the Purpose of being made into Malt to be charged with Duty under the Provisions of this Act, provide and affix to such Cistern a proper and secure Cover, with proper Fastenings, to the Satisfaction of the Supervisor of Excise, or any other Officer of Excise of superior Rank to a Supervisor; and such Cover shall, when there shall be any Corn or Grain in such Cistern, be kept locked and secured by the Officers of Excise during such Period of Time as the Commissioners of Inland Revenue shall by their Regulation or Order direct in that Behalf; and no Maltster shall, after such Cover shall have been locked and secured as aforesaid, open, remove, or damage such Cover, or obtain Access to the Corn or Grain in such Cistern.

Notice to be given of the steeping of Grain.

4. The Maltster shall give Forty-eight Hours Notice in Writing to the Officer of Excise under whose Survey he shall be of the Day and Hour when he intends to steep Corn or Grain to be made into Malt under the Provisions of this Act; and in such Notice the Maltster shall specify the Day and the particular Hour when he intends to place the Corn or Grain in the Cistern (which Hour shall not be later than Twelve o'Clock at Noon of the Day preceding the Day on which it is intended to steep such Corn or Grain); and if any Notice shall be given contrary hereto, or if the whole of the Corn or Grain shall not be steeped within Three Hours, or placed in the Cistern within One Hour, after the respective Times mentioned in any Notice in that Behalf, such Notice shall be null and void.

Declaration to be given of the Weight of Grain to be steeped.

5. The Maltster, or his chief Workman or Servant, shall, immediately after the Corn or Grain shall have been placed in the Cistern for the Purpose of being made into Malt under the Provisions of this Act, fill up and sign a Declaration in Writing, stating the true Weight *per* Bushel of the Corn or Grain so intended to be made into Malt as aforesaid; and such Declaration shall be delivered by the said Maltster, or his chief Workman or Servant,

Servant, to the Officer of Excise on his First Visit after the Corn or Grain shall have been placed in the Cistern as aforesaid; and no other or different Corn or Grain shall be substituted for the Corn or Grain, or any Part thereof, which shall have been placed in any Cistern for the Purpose of being made into Malt under the Provisions of this Act after the same shall have been taken Account of by any Officer of Excise.

Mode of ascertaining Weight of Grain.

6. After any Corn or Grain shall have been placed in the Cistern the Weight thereof shall be ascertained by any Officer of Excise, who shall take a Sample or Samples of such Corn or Grain before any Water shall be added thereto; and the Weight of a Bushel of the Corn or Grain so taken as a Sample or Samples as aforesaid, after the same shall have been screened and cleaned (if the Officer shall think fit to require such screening and cleaning), shall be deemed to be the Weight *per* Bushel of the whole of the Corn or Grain in the Cistern: Provided that if in the Weight of the Sample Bushel there shall be a Fraction of a Pound amounting to One Half or upwards, such Fraction shall be reckoned as an entire Pound, but no Account shall be taken of any Fraction less than Half a Pound.

Mode of calculating Duty on Malt when charged according to Weight.

7. For the Purpose of calculating and charging the Duty upon Malt made under the Provisions of this Act, a measured Bushel of dry Corn or Grain of the Weight of Fifty-three Pounds Avoirdupois shall, for the Purposes of this Act, be deemed to be the standard Weight on which the Amount of Duty payable upon a Bushel of Malt shall be chargeable; and in order to ascertain the Number of Bushels of Malt to be charged on any steeping of Corn or Grain to be made into Malt, the Quantity shall first be calculated by Gauge according to the existing Laws and Regulations in that Behalf, and such Quantity shall then be multiplied by the Number of Pounds which the Sample Bushel taken from such Corn or Grain in the Manner directed by this Act shall be found to weigh, and the Product be divided by Fifty-three, and the Quotient of such Division shall be the Quantity upon which the Duty shall be charged: Provided that if no Sample Bushel of the Corn or Grain shall have been taken as herein-before directed, then the Quantity of Malt, when calculated by Gauge as aforesaid, shall be multiplied by the Weight of a Bushel of the Corn or Grain as declared by the Maltster, his Workman or Servant, and the Product be divided as aforesaid.

8. The

Maltster to provide Scales and Weights and Bushel Measure.

8. The Maltster shall provide and keep proper and correct Scales and Weights, and a correct Bushel Measure, to the Satisfaction of the Supervisor of Excise of the District in which the Malthouse is situated, for the Purpose of weighing and measuring Corn and Grain to be made into Malt under the Provisions of this Act; and such Scales and Weights and Measure shall at all Times be kept in the Malthouse, and such Maltster and his Servants shall allow any Officer of Excise to use the same, and shall also, upon Request, render to any such Officer who shall be desirous of weighing or measuring such Corn or Grain, or any Part thereof, such Assistance as the said Officer shall require.

Officer may weigh any Grain in the Malthouse of a Maltster making Malt under the Provisions of this Act.

9. It shall be lawful for any Supervisor of Excise, or any other Officer of Excise of superior Rank to a Supervisor, to measure and weigh any Corn or Grain in the Malthouse of any Maltster who shall make Malt under the Provisions of this Act, and for that Purpose to use the Weights and Scales and Bushel Measure belonging to such Maltster; and the Maltster and his Workmen or Servants shall, when requested by any such Supervisor or other Officer as aforesaid, render to them respectively such Assistance as they may require in measuring and weighing such Corn or Grain.

Penalty where the Weight of Grain shall exceed declared Weight.

10. If after any Corn or Grain shall have been placed in the Cistern for the Purpose of being made into Malt under the Provisions of this Act, and before the wetting thereof the Weight of a Bushel of such Corn or Grain (screened and cleaned as aforesaid, if the Officer shall require it) shall be found by any Officer of Excise to be in excess of the Weight declared by the Maltster or his chief Workman or Servant by such Declaration as aforesaid in a greater Proportion than Two Pounds Avoirdupois *per* Bushel, the Maltster shall forfeit the Sum of One hundred Pounds.

Grain making into Malt may be sprinkled at the Expiration of Ninety Hours after being emptied from Cistern.

11. That it shall be lawful for any Maltster to water or sprinkle any Corn or Grain making into Malt at the Expiration of Ninety Hours after the same shall have been taken out of the Cistern, provided such Corn or Grain shall have been kept covered with Water in the Cistern for the full Space of Fifty Hours from the Time of such Corn or Grain being first wetted or steeped, and the Maltster shall have given to the Officer of Excise Twenty-four Hours previous Notice in Writing of his Intention to water or sprinkle such Corn or Grain as aforesaid, anything in any former Act contained to the contrary notwithstanding.

12. If

12. If any Act, Matter, or Thing by this Act required or directed to be done or performed by any Maltster or his Workman or Servant shall be omitted or neglected or refused to be done or performed by them respectively, or if any Act, Matter, or Thing prohibited by this Act shall be done or permitted by any Maltster or his Workman or Servant, the Maltster shall in every such Case forfeit the Sum of One hundred Pounds over and above any other Penalty or Penalties to which he may be subject under any other Act now in force.

Penalty for Offences against this Act.

13. The Condition numbered "Three" in the Twenty-eighth Section of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and thirteen, is hereby repealed; and no Malt shall be exported on Drawback which, after having been screened and cleaned as directed in the said Section, shall be of less Weight than Thirty-six Pounds or of greater Weight than Forty-four Pounds Avoirdupois *per* Bushel; and the Amount of Drawback allowed by Law upon the Exportation of Malt shall be calculated in the following Manner; (that is to say,) when the Malt is of the Weight of Thirty-six Pounds and under Forty Pounds Avoirdupois *per* Bushel, the Amount of Drawback allowable by Law upon a Bushel of Malt shall be allowed and paid in respect of every Forty Pounds Avoirdupois of the Malt exported; and when the Malt shall weigh Forty Pounds Avoirdupois or upwards *per* Bushel, the Drawback shall be allowed and paid according to the Quantity ascertained by Measure as heretofore; subject, however, in either Case, to the Deduction of Seven and a Half *per Centum* upon the Quantity ascertained, as directed by the Thirtieth Section of the above-mentioned Act.

Condition No. 3. in Sect. 28 of 23 & 24 Vict. c. 113, repealed, and other Provisions made.

14. The several Portions of Acts herein-after mentioned relating to the making of Malt for Exportation, and the Exportation of Malt, shall be and the same are hereby repealed, save and except as to any Malt made for Exportation before the Commencement of this Act; (that is to say,) Sections Forty-eight to Fifty-nine, both inclusive, of the Act passed in the Twelfth Year of the Reign of King *George* the First, Chapter Four, and Sections Twelve to Sixteen, both inclusive, and Sections Eighteen and Nineteen, of an Act passed in the Third Year of the Reign of King *George* the Fourth, Chapter Eighteen.

12 G. 1. c. 4. ss. 48 to 59, and 3 G. 4. c. 18. ss. 12 to 16, and 18 & 19, relating to the Exportation of Malt on Drawback, repealed.

15. Nothing in this Act shall be deemed to repeal, alter, or affect any of the Provisions contained in any Act now in force relating to the Manufacture of Malt, or the Duties imposed thereon, save and except so far as such Provisions shall be specially repealed or altered by or be repugnant to the Provisions of this Act.

Not to repeal Provisions of other Malt Acts.

 16. This

Continuance of Act.

16. This Act shall continue and be in force for Four Years from the passing thereof, and until the End of the then next Session of Parliament, and shall then expire except as to any Act done or Offence committed, or any Penalty or Forfeiture previously incurred.

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VICTORIÆ REGINÆ.

CAP. LXVII.

An Act to amend the Acts relating to the Harbour of *Kingstown*. [29th *June* 1865.]

WHEREAS an Act was passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, Chapter Sixty-two, intituled *An Act for erecting an Harbour for Ships to the Eastward of* Dunleary, *within the Port of* Dublin; and the said Act was amended by an Act of the First Year of His late Majesty King *George* the Fourth, Chapter Sixty-nine: And whereas a further Act was passed in the Session held in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, being *An Act to amend several Acts relating to the Harbour of* Kingstown, by which it was, amongst other things, enacted, that the old Harbour of *Dunleary*, together with the new Harbour then in course of Erection, should thenceforth be constituted One Harbour, under the Name and Title of "*Kingstown* Harbour:" And whereas another Act was passed in the Session held in the First and Second Years of the Reign of Her Majesty the now Queen, intituled *An Act to make further Provisions and to amend the Acts relating to the Harbour of* Kingstown, *and the Port and Harbour of* Dublin: And whereas in consequence of the increased Number of Vessels entering the Harbour of *Kingstown* in Ballast, and leaving the same with Cargoes of Iron Ores and Pyrites and

56 G. 3. c. 62.

1 G. 4. c. 69.

6 & 7 W. 4. c. 117.

1 & 2 Vict. c. 36.

 other

other Produce of Mines, as well as with other Cargoes, it has become necessary to enlarge the Wharfs and Quays of the said Harbour, and afford increased Accommodation thereat; and it is intended to enlarge a certain Quay situate in the said Harbour, now known as the Coal Quay, and to construct other Works for increasing the Wharfs and Quays of the said Harbour: And whereas it is reasonable that all Vessels entering the said Harbour in Ballast, and taking away Cargoes as aforesaid, should pay the Rates herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Threepence a Ton on all Vessels entering Kingstown, and taking in Cargo.

1. From and after the passing of this Act, all Vessels entering the said Harbour of *Kingstown* in Ballast from any Part of the Port of *Dublin*, and which, while within such Harbour, or Five hundred Yards of the Entrance thereof, shall take in a Cargo of Ores or Pyrites, or other Produce of any Mines, or of any other Matter or Thing, shall, in addition to the Rates payable under the said recited Acts or any of them, be liable to pay to the Commissioners of the said Harbour, or their Collector, a Tonnage Rate to be from Time to Time fixed and appointed by the said Commissioners, not exceeding Threepence *per* Ton, according to the registered Tonnage of such Vessel.

Gunpowder not to be brought into the Harbour except in conformity with Regulations of Harbour Master.

2. From and after the passing of this Act, if any Owner, Master, or Person having the Charge of any Ship or Vessel (unless driven by Stress of Weather) shall bring the same into the said Harbour of *Kingstown*, having on board any Quantity of Gunpowder exceeding One hundred Pounds, without having previously obtained the Permission of the Harbour Master of the said Harbour signified in Writing under his Hand, or shall knowingly permit or suffer any such Quantity of Gunpowder to be placed or to be on board of any such Ship or Vessel while within such Harbour without such Permission as aforesaid, or if any Person without such Permission as aforesaid shall knowingly place any such Quantity of Gunpowder as aforesaid in or upon any Vessel within the said Harbour, every such Owner, Master, or other Person so offending shall forfeit and pay to the Commissioners of the said Harbour the Sum not exceeding Two hundred Pounds for every such Offence.

Penalty for refusing to comply with Directions of Harbour Master.

3. In case any such Owner, Master, or other Person having the Charge or Command of any Ship or Vessel on board which any such Quantity of Gunpowder may be shall refuse or neglect to moor, unmoor, place, move, or remove his Ship or Vessel according to

to the Direction from Time to Time given by the Harbour Master, or shall refuse or neglect to follow and obey any Directions of the said Harbour Master with respect to the Storage and Custody of such Gunpowder immediately when Notice to him or them of such Directions as aforesaid shall be given or left with any Person or Persons on board of such Ship or Vessel for that Purpose, every such Owner, Master, or other Person aforesaid shall forfeit and pay to the said Commissioners for every such Offence a Sum not exceeding Fifty Pounds; and it shall be lawful for the said Harbour Master, in case any Direction so given by him shall be disobeyed as aforesaid, forthwith to destroy all such Gunpowder, and for that Purpose to enter upon every such Ship or Vessel and make search for the same; and in case the said Harbour Master shall be obstructed in so doing by any Person or Persons whomsoever, then every such Person so offending shall for every such Offence forfeit and pay to the said Commissioners a Sum not exceeding Twenty Pounds.

Exemption for Her Majesty's Ships.

4. Nothing herein contained shall apply to any Ship or Vessel belonging to Her Majesty or in Her Majesty's Service; but if any Person shall claim the Benefit of this Exemption, not being entitled thereto, every such Person for every such Offence shall forfeit and pay to the said Commissioners a Sum not exceeding Twenty-five Pounds.

Provisions of former Acts extended to this Act.

5. All the Powers and Provisions in the said Acts contained and now in force with respect to the Recovery of Rates, Penalties, and Forfeitures, and the seizing or distraining for the same, shall apply to the Rates, Penalties, and Forfeitures imposed by this Act; and the said Rates, Penalties, and Forfeitures shall be applicable to the like Purposes as the Rates and Penalties now payable to the Commissioners of the said Harbour under the Provisions of the Acts aforesaid, or any of them.

This and recited Acts to be as One.

6. This Act and the herein-before recited Acts shall be read together as One Act.

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CAP. LXVIII.

An Act to enable the Ecclesiastical Commissioners for *England* to grant Superannuation Allowances to Persons employed in their Service.

[29th *June* 1865.]

WHEREAS it is expedient that Provision should be made for granting Superannuation Allowances to Officers, Clerks, and other Persons on the permanent Establishment of the Ecclesiastical Commissioners for *England*, as in other Departments of the Public Service: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. Subject to the Exceptions and Provisions herein-after contained, it shall be lawful for the said Commissioners to pay out of their Common Fund Allowances on Retirement to Persons who shall have served in an established Capacity in the permanent Service of the Commissioners, not exceeding the following Scale; *viz.*,

Power to Commissioners, out of their Common Fund, to grant retired Allowances.

To any Person who shall have served Ten Years and upwards and under Eleven Years, an annual Allowance of Ten Sixtieths of the annual Salary and Emoluments of his Office:

For Eleven Years and under Twelve Years, an annual Allowance of Eleven Sixtieths of such Salary and Emoluments; and in like Manner a further Addition to the annual Allowance of One Sixtieth in respect of each additional Year of such Service until the Completion of a Period of Service of Forty Years, when the annual Allowance of Forty Sixtieths may be granted; and no Addition shall be made in respect of any Service beyond Forty Years.

Power to grant Gratuities in certain Cases where Officials not entitled by Length of Service to Superannuation.

2. It shall be lawful for the Ecclesiastical Commissioners to grant to any Person in their Service who being the Holder of an Office in respect of which a Superannuation Allowance may be granted, but not having completed the Period which would have entitled him to a Superannuation Allowance, is compelled to quit their Service by reason of severe bodily Injury occasioned, without his own Default, in the Discharge of his Duty, a Gratuity not exceeding Three Months Pay for every Two Years Service, or a Superannuation Allowance not exceeding Ten Sixtieths of the annual Salary and Emoluments of his Office, or to any such Person as aforesaid who is constrained from Infirmity of Mind or Body to leave the Service of the Commissioners before the Completion of the Period which would entitle him to a Superannuation Allowance, such Sum of Money by way of Gratuity as the said Commissioners shall think proper, but so that no Gratuity shall exceed the Amount of One Month's Pay for each Year's Service.

No Superannuation to be granted unless approved by Treasury.

3. No Superannuation or Compensation Allowance or Gratuity under this Act shall be granted to any Person until the Application with the Certificate and Award of the said Commissioners shall have been submitted to and approved of by the Commissioners of the Treasury; provided also, that if any Question shall arise as to the Claim of any Person for Superannuation under this Act it shall be referred to the Commissioners of the Treasury, whose Decision shall be final.

Restrictions as to Grant of full Superannuation Allowance.

4. It shall not be lawful for the said Commissioners to grant the full Amount of Superannuation Allowance which can be granted under this Act to any Person, other than the Secretary, unless upon Production of a Certificate signed by the Secretary that such Person has served with Diligence and Fidelity to the Satisfaction of the Commissioners; provided that the said Commissioners may grant to any Person any such Allowance of less Amount than otherwise would have been awarded to him where his Defaults or Demerit may appear to them to justify such Diminution.

5. In

5. In computing the Amount of Superannuation Allowance to be granted to any Person under the Provisions of this Act, it shall be lawful for the said Commissioners, under special Circumstances, to be stated to the Lords Commissioners of Her Majesty's Treasury, to direct that any Number of Years not exceeding Ten Years in the whole be added to the Number of Years during which such Person may have actually served.

Under special Circumstances an Increase may be made to regular Superannuation Allowance.

6. It shall not be lawful to grant any Superannuation Allowance under the Provisions of this Act to any Person who shall be under Sixty Years of Age, unless upon Medical Certificate to the Satisfaction of the said Commissioners that he is incapable, from Infirmity of Mind or Body, to discharge the Duties of his Situation, and that such Infirmity is likely to be permanent.

Superannuation not to be granted to Persons under 60, except upon Medical Certificate

7. Every Person to whom a Superannuation or Compensation Allowance shall have been granted before he shall have attained the Age of Sixty Years shall, until he shall have attained that Age, be liable to be recalled into the Service of the said Commissioners; and if he shall decline, when called upon, to take upon him any Office or Situation, being equal in Emolument to that which he formerly held, or shall neglect to perform the Duties thereof satisfactorily, being in a competent State of Health, he shall forfeit his Right to the Allowance which had been granted to him.

Where Superannuation granted to any Person under 60, he shall be liable to be recalled to Service.

8. No Person hereafter to be appointed, not being the Secretary, shall be deemed to be in the Service of the said Commissioners for the Purposes of this Act unless he shall have been admitted into the Service of the said Commissioners with a Certificate from the Civil Service Commissioners, or unless he shall have been transferred from a Situation in the Civil Service entitling him to Superannuation under the Superannuation Act of 1859.

None but Secretary to be deemed in Service of Commissioners unless admitted with a Certificate from Civil Service Commissioners, &c.

9. A Return of all Superannuation or Compensation Allowances and Gratuities made during the Year under this Act, setting forth in each Case the Length of Service, the Salary and the Allowance awarded, shall be inserted by the Commissioners each Year in their annual Report to the Secretary of State.

Return of Superannuations to be inserted in Annual Report.

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CAP. LXIX.

An Act further to amend and render more effectual the Law for providing fit Houses for the Beneficed Clergy, and for other Purposes.

[29th *June* 1865.]

WHEREAS under the Provisions of the several Acts passed in the Sessions held in the Seventeenth Year of the Reign of His late Majesty King *George* the Third, Chapter Fifty-three, in the Twenty-first Year of the same Reign, Chapter Sixty-six, in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, Chapter Sixty-six, and in the First and Second Years of the Reign of Her present Majesty, Chapter Twenty-three, the Incumbent of a Benefice is authorized and empowered, with the Consents in the said Acts specified, to borrow and take up at Interest a Sum of Money exceeding One Year's but not exceeding Three Years net Income of his Benefice, for the Purpose of building, repairing, or purchasing a House and other necessary Buildings, or a proper Site for such House and other necessary Buildings, to be used as the Parsonage or Glebe House and Offices for his Benefice, and as a Security for the Money so to be borrowed to mortgage the Glebe Tithes, Rentcharges, Rents, and other Profits and Emoluments of his Benefice for the Term of

17 G 3 c 53.
21 G 3 c 66.
7 G. 4 c. 66.
1 & 2 Vict. c. 23.

Thirty-five Years, the Principal so borrowed being repayable by Thirty annual Instalments, with Interest to accrue due thereon: And whereas it is expedient to extend the Provisions of the said Acts and to provide for the other Purposes herein-after expressed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Extension of Provisions of recited Acts relating to repairing, rebuilding, or acquiring Houses of Residence, &c.

1. The Incumbent of any Benefice may, according to the Provisions of and with the Consents required by the said Acts, and by any Act or Acts amending or referring to the same, borrow and take up at Interest on Mortgage as provided by the same Acts, or any of them, for the Purposes of the same Acts or any of them, or for the Purposes of the Act passed in the Session held in the Fifty-fifth Year of the Reign of His said Majesty King *George* the Third, Chapter One hundred and forty-seven, or for the Purpose of purchasing any Lands or Hereditaments not exceeding Twelve Acres, contiguous to or desirable to be used or occupied with the Parsonage House or Glebe belonging to such Benefice, or for the Purpose of building any Offices, Stables, or Outbuildings, or Fences necessary for the Occupation or Protection of such Parsonage, or for the Purpose of restoring, rebuilding, or repairing the Fabric of the Chancel of the Church of such Benefice (in any Case where such Incumbent is or shall be liable to repair or sustain the Fabric of such Chancel), or for the Purpose of building, improving, enlarging, or purchasing any Farm House or Farm Buildings, or Labourers Dwelling Houses, with the Appurtenances belonging to or desirable to be acquired for any Farm or Lands appertaining to such Benefice, any Sum or Sums of Money not being less than One hundred Pounds, and not exceeding Three Years net Income of such Benefice; and out of the Sum to be borrowed it shall be lawful to pay the Charges and Expenses of the Architect or Surveyor who shall be employed in or about any of the Purposes aforesaid, and also the Costs and Expenses of and incidental to the Preparation of the Mortgage Deed or Deeds, and of and incidental to any Purchase by the said Acts or this Act authorized to be made.

Governors of Queen Anne's Bounty may sell Lands, &c. given to them for their general Purposes.

2. It shall be lawful for the Governors of the Bounty of Queen *Anne*, for the Augmentation of the Maintenance of the Poor Clergy, absolutely to sell and dispose of, either altogether or in Parcels, and either by Public Sale or by Private Contract, for such Sum or Sums of Money as to the said Governors shall seem fair and reasonable, all Houses, Lands, Tithes, Tithe Rentcharges, and Hereditaments of what Nature or Kind soever which may have been

been or shall hereafter be given, devised, or conveyed to or acquired by the said Governors for the Purpose generally of augmenting the Maintenance of the Poor Clergy; and the Monies to arise from every such Sale shall be paid to the said Governors, and the Receipts of their Treasurer for the Time being shall be sufficient Discharges for the said Monies, and shall effectually release and exonerate the Person or Persons paying the same from all Responsibility in respect of the Application thereof; and the said Monies when so received shall be applied and disposed of by the said Governors for the Benefit and Augmentation of Benefices in such and the same Manner according to the Rules and Regulations of the said Governors as the general Funds and Profits of the said Governors are applicable and disposable.

Powers of recited Acts extended to this Act.

3. All the Powers, Authorities, Provisions, Forms, and Matters in the herein-before mentioned Acts contained shall, except as herein otherwise is provided, extend and be applicable, *mutatis mutandis*, to all the Purposes of this Act and of the said herein-before mentioned Acts, as if the same had been respectively repeated and set forth herein.

Corporations and Persons under Disability or Incapacity, authorized to convey Houses and Lands for Parsonages.

4. It shall be lawful for the Principal Officer of any public Department holding any Messuages, Buildings, Lands, Tenements, or Hereditaments for or on behalf of Her Majesty, or otherwise for the public Use or the Use of such Department, and for every Body politic, corporate, or collegiate, and Corporation aggregate or sole, and for all Trustees, Guardians, Commissioners, or other Persons having the Control, Care, or Management of any Hospital, School, Charitable Foundation, or other public Institution, and for all other Persons by "The Lands Clauses Consolidation Act, 1845," empowered to sell and convey or release Lands by any Assurance under the Hand and Seal or under the Common Seal, as the Case may be, of such Principal Officer, Body, or Corporation, or under the Hands and Seals or Hand and Seal of such Trustees, Guardians, Commissioners, or other Persons or Person, to grant and convey or release, either by way of voluntary Gift or of Sale, to the said Governors, in Fee Simple or otherwise, any Messuages, Buildings, Lands, Tenements, or Hereditaments to be used as and for Parsonages or Residences for Incumbents of Benefices, or the Outbuildings, Yards, Gardens, or Appurtenances thereto, or as and for Sites or for enlarging Sites for such Parsonages or Residences or the Outbuildings, Yards, Gardens, or Appurtenances thereto, and all such Assurances may be made according to the Form contained in the Twentieth Section of the Act passed in the First Year of Her Majesty's Reign, Chapter Twenty, or as near thereto as the Circumstances

stances of the Case will admit, or in any other Form which the said Governors may approve; but no such Assurance or Assurances from the same Body or Persons otherwise than upon a Sale for the fair Value shall comprise (including the Site of any Buildings) more than One Acre, and upon every such Assurance by way of Sale the Purchase Money may be paid to the Seller or Sellers, or as he or they shall appoint, and the Receipt of them or him or their or his Appointees shall be a sufficient Discharge for the same, except that in the Case of a Sale for more than Twenty Pounds by a Tenant for Life or other Person having only a partial Estate, the Purchase Money shall be paid to and applied by Two Trustees in manner provided by the Seventy-first Section of "The Lands Clauses Consolidation Act, 1845."

Five of the Governors may form a Quorum.

5. To facilitate the Despatch of the Business of the said Governors, any Five of the said Governors, Three of whom at least shall be Archbishops or Bishops, shall make a Quorum for the future, and be sufficient at any Court for the Despatch, by Majority of Votes, of all Business of the said Governors.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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Majesty, Chapter Seventy-two, so far as relates to the Distribution of the Constabulary Force in Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Present Police Force in Belfast shall cease to exist.

1. From and after the Commencement of this Act, it shall not be lawful for the Town Council of the Borough of *Belfast* to appoint or maintain any Police Force; and all Persons who have been appointed Chief Constables, Inspectors, Constables, or other Officers of the said Force, shall cease to hold their Offices, and shall severally discontinue acting in such Offices accordingly; and the Constabulary Force in the Town of *Belfast* shall have and discharge all Powers and Duties now lawfully had and discharged by the Police Force of the Town.

Borough of Belfast constituted a distinct District.

2. The Municipal Borough of *Belfast* shall for the Purposes of this Act be constituted a distinct District, herein-after called the Town of *Belfast*; and all and every the Provisions of the several Acts relating to the Constabulary Force in *Ireland* shall apply to the said Town of *Belfast*.

Distribution of Constabulary.

3. Whereas it is expedient to alter the Distribution of the Constabulary Force in the several Counties and Towns in *Ireland*, and to allot to the Town of *Belfast* a just Proportion thereof: Be it therefore enacted, That the Schedule to this Act annexed, and the Distribution of the Constabulary Force therein provided, shall be substituted for the Schedule annexed to the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Seventeen: Provided always, that the total Number of Constables and Sub-Constables to be distributed shall not exceed the Number fixed by the said recited Act, and that the Number allotted to the Town of *Belfast* shall not be less than One hundred and thirty Constables and Sub-Constables.

Lord Lieutenant to add any Number of Men, not exceeding 320, to the Constabulary Force of Belfast.

4. It shall be lawful for the Lord Lieutenant to add to the Constabulary Force which shall be allotted to the Town of *Belfast* under the Provisions of this Act any Number of Men, not exceeding Three hundred and twenty, which the Lord Lieutenant may think fit to provide for the more effectual Preservation of the Peace of the said Town, and such additional Number of Men, together with the One hundred and thirty herein-before mentioned, shall constitute the ordinary Constabulary Force of the said Town.

5. The

5. The Expense of the said additional Force, save as to the additional Pay herein-after mentioned, shall, in the first instance, be advanced and defrayed in like Manner as the Expense of the Force appointed under the Constabulary Acts is to be advanced and defrayed; One Moiety of the Monies so advanced shall be repaid by the Town Council of the Borough of *Belfast* by means of Rates, to be applotted and levied in the same Manner as the Monies hitherto raised and applied or which may be applicable in the said Town of *Belfast* to the Maintenance of a Police Force.

As to Expenses of additional Force.

6. The Inspector General of Constabulary shall, with the Assistance of the Receiver, twice in each Year, ascertain the Amount of the Monies chargeable under the Provisions of this Act to the said Town of *Belfast*, and shall make out a Certificate thereof under his Hand, specifying the Force or Service in respect whereof such Charge may have been incurred, and transmit the same, when signed by the Receiver and approved and certified by the Chief or Under Secretary to the Lord Lieutenant, to the Town Clerk of the Borough of *Belfast*, who shall lay the same forthwith before the Town Council, and thereupon the Town Council shall forthwith make and levy a Rate sufficient for the Payment thereof, and shall thereout, or out of any Monies in their Hands, pay the Amount mentioned in such Certificate to the Paymaster General's Department in *Ireland*.

Inspector General shall transmit to Town Council of Belfast Half-yearly Accounts

7. The Officers of the Constabulary Force in the Town of *Belfast* shall consist of One Inspector, who shall rank as a County Inspector of Constabulary, and be called "the Inspector of Constabulary for the Town of *Belfast*," and Two or more Sub-Inspectors, who shall be provided from the Number of Sub-Inspectors mentioned in the Schedule annexed to the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Seventeen. The Inspector shall be appointed in like Manner as Constabulary Officers now are, and his Salary shall be Four hundred Pounds a Year, and shall be wholly defrayed by the Town Council of the Borough, and shall be included in the Certificate to be furnished by the Inspector General of Constabulary, under the Sixth Section of this Act, and be raised and paid in the Manner therein directed.

Provision as to Officers of the Constabulary Force in Belfast, and their Salaries, &c.

8. The Inspector General of Constabulary shall fix the Number of Men, not exceeding One hundred and fifty, who shall discharge the Duties of a Night Watch; and for each of the said One hundred and fifty Men there shall be charged the Sum of Sixpence *per Diem*, to be wholly defrayed by the Town Council of the Borough of *Belfast*, and such Sum shall be included by the Inspector

Inspector General to appoint Constables for Night Watch, who shall receive extra Remuneration for Night Duty.

Inspector General of Constabulary in the Certificate to be furnished by him, under the Sixth Section of this Act, and shall be raised and paid in manner therein directed; and it shall be lawful for the said Inspector General, with the Approval of the Lord Lieutenant, to apply such Sum to remunerate the Constabulary Force stationed in *Belfast*, for discharging the Duties of a Night Watch.

Restrictions as to Age.

9. Notwithstanding any Regulations requiring Persons entering the Constabulary Force to be unmarried, or to be under a certain Age, the Inspector General of the Constabulary Force in *Ireland* shall admit into the said Force any Constable of the said Local Police Force whose Age shall not exceed Forty Years, and who, within One Calendar Month after such Notification in the "*Dublin Gazette*" as aforesaid, shall apply to be admitted, and who in other respects shall be eligible according to the said Regulations.

Superannuation, &c. of Constabulary.

10. It shall be lawful for the Council of the said Borough (if they shall so think fit) to grant to any Head Constable, Inspector, or Constable belonging to the present Police Force of said Borough, whose Office shall cease or become unnecessary by means of the Provisions of this Act, such an adequate Compensation, by way of yearly Allowance or other Gratuity, as shall to them seem just: Provided always, that any such Compensation shall be wholly charged on and defrayed by the local Funds which the said Council may have Authority to levy.

Provisions as to Rates applicable to Support of Police Establishment to continue in force.

11. The several Provisions of the Local Acts in force within the Borough relating to the Applotment, Levy, Collection, Recovery, and Receipts of Rates applicable wholly or in part to the Support of the Police Force and Establishment in the Police District of *Belfast* shall continue in force notwithstanding the passing of this Act.

This Act and Acts relating to Constabulary Force to be construed as One.

12. This Act and the several Acts now in force relating to the Constabulary Force in *Ireland* shall be construed as One Act, so far as is consistent with the Tenor hereof, and nothing herein contained shall be construed to deprive the Lord Lieutenant of any Power now vested in him in relation to the said Constabulary Force.

Interpretation of Terms.

13. The Expression "Lord Lieutenant" in this Act shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland*.

Commencement of Act.

14. This Act shall come into operation from and after a Day to be fixed by the Lord Lieutenant, and notified in the "*Dublin Gazette*,"

Gazette," and not being less than Twenty-one Days after such Notification.

15. This Act may be cited for all Purposes as the "Constabulary (*Ireland*) Amendment Act, 1865." Short Title.

BENGAL SECRETARIAT LIBRARY

SCHEDULE.

County Inspectors	35	For the whole of Ireland.
Sub-Inspectors	262	
Head Constables	375	

Counties and Ridings	Constables and Sub-Constables		Counties and Ridings	Constables and Sub-Constables	
Antrim	200		Limerick	387	
Armagh	175		Londonderry	120	
Carlow	140		Longford	191	
Cavan	290		Louth	188	
Clare	398		Mayo	347	
Cork—			Meath	284	
East Riding	454	748	Monaghan	175	
West Riding	294		Queen's	254	
Donegal	326		Roscommon	347	
Down	260		Sligo	201	
Dublin	231		Tipperary—		
Fermanagh	181		North Riding	320	784
Galway—			South Riding	464	
East Riding	329	657	Tyrone	210	
West Riding	328		Waterford	219	
Kerry	264		Westmeath	280	
Kildare	220		Wexford	270	
Kilkenny	355		Wicklow	199	
King's	309				
Leitrim	251		Total	9,461	

Counties and Ridings	9,461
Cities and Towns—	
Belfast	130
Carrickfergus	10
Cork	100
Drogheda	40
Galway	65
Kilkenny	50
Limerick	80
Waterford	70
Total	10,006

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and the Fine Arts, and the Remainder to the Reception of a public Library; and it is by the same Act enacted, that "it should be lawful "for the Governors and Guardians of Archbishop *Marsh*'s Library "(anything in an Act of the Parliament of *Ireland*, intituled *An* "*Act for settling and preserving a Public Library for ever in the* "*House for that Purpose built by his Grace* Narcissus *then Lord* "*Archbishop of* Armagh *on Part of the Ground belonging to the* "*Archbishop of* Dublin's *Palace near the City of* Dublin, passed in "the Sixth Year of the Reign of Queen *Anne*, or otherwise, to the "contrary notwithstanding,) to cause the said Library to be removed "to the said Building so to be erected as soon as the same should be "completed, and in a Condition to receive the said Library; provided "always, that the said Governors and Guardians shall approve of "the Plans and Arrangements of that Portion of the said Building "to be appropriated to the Reception of a Public Library;" and it was by the same Act further enacted, that certain Persons therein mentioned, and their Successors, as therein-after directed, should be and were thereby constituted a Body Corporate by the Name of the Governors and Guardians of the National Gallery of *Ireland*, with Power to the said Body Corporate to receive Devises, Bequests, Donations, and Subscriptions (annual or otherwise) of Land, Buildings, Money, and Works of Art, and to hold the same, and to lay out such Sums of Money as they should so receive, for the Purposes of the National Gallery of *Ireland* in the Improvement and Enlargement of the Collection of Works of Art presented to or purchased for the said Gallery, or deposited therein, and the said Body Corporate should have the entire and exclusive Possession, Occupation, and Control, for the Purposes of their Trusts therein mentioned, of those Portions of the said Building so to be erected as therein-before mentioned, which should be, upon the Completion of the said Building, set apart by the Building Trustees for the Accommodation of the National Gallery of *Ireland*, and of all such other Buildings, Enclosures, and Appurtenances as should or might from Time to Time be required and obtained for the Purposes of the said National Gallery or any Part thereof, and that the Building so to be erected should be constructed according to such Plans and Specifications as should have been approved and agreed upon by and between the said Building Trustees, the said Governors and Guardians of the National Gallery of *Ireland*, and the said Governors and Guardians of Archbishop *Marsh*'s Library: And whereas it is by the said Act further enacted, that "the Persons who for the Time being should compose the "said respective Bodies Corporate, that is to say, the Governors "and Guardians of the National Gallery of *Ireland*, and the Gover- "nors and Guardians of Archbishop *Marsh*'s Library, should be One

"Body

" Body Corporate, under the Name of the Joint Trustees of the " National Gallery of *Ireland* and of *Marsh*'s Library," and so soon as the said Building so to be erected as aforesaid should have been completed the said Building Trustees shall declare it to be so by an Instrument under the Hands of them or of any Three of them, and thereupon the said Building, together with the Ground whereon the same should have been erected, should become and be vested in the said last-mentioned Body Corporate for ever, subject nevertheless to the exclusive Possession, Occupation, and Control of those Portions of the said Building respectively to be occupied by the said Governors and Guardians of the National Gallery of *Ireland*, and the said Governors and Guardians of Archbishop *Marsh*'s Library, for the Purposes of their respective Trusts as aforesaid: And whereas by Indenture bearing Date the Fourth Day of *August* One thousand eight hundred and fifty-five, and made between the Right Honourable *Sidney Herbert* of *Belgrave Square* in the Parish of *Saint George, Hanover Square*, in the County of *Middlesex*, M.P., of the one Part, and the Royal *Dublin* Society for promoting Husbandry and other useful Arts in *Ireland* of the other Part, reciting as therein recited, the said Right Honourable *Sidney Herbert*, in pursuance of the Power and Authority for that Purpose given and reserved by the therein and herein-before recited Act of the Seventeenth and Eighteenth Years of Her present Majesty Queen *Victoria*, and of any other Power in that Behalf enabling him, and for the Considerations therein mentioned, granted and demised unto the said Royal *Dublin* Society all that and those that Piece or Parcel of Ground lying between the House of the said Society and the Flagway on the East Side of *Merrion Square* (which said Piece or Parcel of Land is commonly called "*Leinster Lawn*") containing in the whole Three Acres Three Roods and Thirty-six Perches Statute Measure, and situate, lying, and being in the Parish of *Saint Peter* and County of the City of *Dublin*, and which said Piece or Parcel of Ground is, as to its Contents, Dimensions, Abuttals, and Boundaries, more particularly described in the Map or Plan annexed thereto, together with all and singular the Messuages and Tenements and all Erections and Buildings to be built and erected thereon, and all Rights, Easements, Ways, Paths, Passages, Waters, Watercourses, Profits, Commodities, and Appurtenances whatsoever to the said Piece or Parcel of Ground belonging or in anywise appertaining, to hold the same, with the Appurtenances, unto the said Royal *Dublin* Society and its Successors for ever at and subject to the yearly Fee-farm Rent of Two hundred and seventy-seven Pounds Seven Shillings and Ninepence, payable half-yearly as therein mentioned, and subject to the Performance of the Covenants and Conditions therein

Indenture of Lease of 4th Aug. 1855 from the Right Hon. Sidney Herbert to the Royal Dublin Society.

therein contained: And whereas in pursuance of the Provisions in that Behalf contained in the said firstly herein-recited Act the Premises comprised in the said Lease, with the Sanction of the Board of Trade and Navigation, have been divided between the said Society and the said Building Trustees, and a certain Portion thereof has been appropriated for the Purpose of the said National Gallery and Library, and the Rent of One hundred Pounds *per Annum* has been, with the like Sanction, ascertained as the Amount of the Rent payable in respect of the said Portion so appropriated as aforesaid: And whereas the Building by the said first-recited Act authorized and intended for the said National Gallery and Library has been erected on the said Portion of the Premises so comprised in the said Lease of the Fourth Day of *August* One thousand eight hundred and fifty-five at an Expense of Twenty-eight thousand Pounds and upwards, the whole of which (with the Exception of a Sum of Five thousand Pounds received by Subscriptions of Individuals for the Purpose of commemorating the eminent public Services of *William Dargan* Esquire in founding and sustaining the Great Industrial Exhibition of 1853 in *Dublin*) has been voted by Parliament: And whereas, in consideration of the said Sum of Five thousand Pounds so raised by Subscription, an equal Sum of Five thousand Pounds has been or is proposed to be voted by Parliament in aid of the Purchase of Pictures, and it is also intended to grant to the said Royal *Dublin* Society a Sum of Three thousand Pounds, to be applied by them in the Purchase of a certain Piece of Ground adjoining their Premises, in lieu of the Piece of Ground forming the Site of the said Building intended for the said National Gallery and Library as aforesaid, and in consequence of such Grant of Three thousand Pounds the said Royal *Dublin* Society have agreed to pay the entire of said Rent of Two hundred and seventy-seven Pounds Seven Shillings and Ninepence: And whereas the Governors of *Marsh*'s Library have declined to remove their Library to the Part of the said Building designed for the Reception of same, and it is expedient that the said Building, with the Ground on which the same has been erected, with the Rights, Members, and Appurtenances thereunto belonging, should be vested in the Public Body herein-after provided: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sect. 10. of 17 & 18 Vict. c. 99. repealed

1. The Tenth Section of said firstly herein-recited Act is hereby repealed for all Intents and Purposes.

The Commissioners of Public

2. The Commissioners of Public Works for the Time being in *Ireland* shall be a Body Corporate for the Purposes of this Act, and shall

shall have a Common Seal and perpetual Succession, and shall and may take, purchase, and hold Lands and Real Estates and other Property in trust for the Purposes of this Act.

Works to be a Corporation.

3. The said Building so erected and intended for the said National Gallery and Library, and the Lands and Ground forming the Site thereof, containing in front to *Merrion Square* One hundred and twenty-four Feet, in rear on the West Side Sixty-six Feet, on the South Side Three hundred and eighty-three Feet, and on the North Three hundred and fifteen Feet, be the said several Admeasurements more or less, with all Enclosures thereunto belonging, being the Portion of the said demised Premises so appropriated for the said National Gallery as herein aforesaid, together with all Ways, Easements, and Privileges thereto appertaining or therewith enjoyed, shall be and the same are hereby vested in the Commissioners of Public Works in *Ireland*, and their Successors, for all the Term and Interest created by the said recited Lease of the Fourth Day of *August* One thousand eight hundred and fifty-five, in trust for Her Majesty and Her Successors, subject to the Payment to the said Royal *Dublin* Society and their Successors of the annual Rent of One hundred Pounds by Two half-yearly Payments on every Twenty-fifth Day of *March* and Twenty-ninth Day of *September* in each Year during the said Term, the first Payment of the said Rent to be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-five, and subject to the Observance of the Covenants and Conditions in the said Lease contained, so far as regards the said Premises so vested in the said Commissioners of Public Works as aforesaid; and the said Royal *Dublin* Society shall have all Remedies for the Recovery of the said Rent as are incident to a Rent reserved upon a Demise for Years.

The Building and Grounds vested in the Commissioners of Public Works.

In case the aforesaid Sum of Three thousand Pounds shall at any Time hereafter be advanced and paid to the said Royal *Dublin* Society out of Public Monies, then from and after such Payment the said annual Rent of One hundred Pounds so payable to the said Royal *Dublin* Society shall cease and determine.

In case 3,000*l.* advanced the Rent of 100*l.* per Annum to cease.

Provided always, that it shall be lawful for the Governors and Guardians of the National Gallery to use and occupy all that Portion of the said Building now used and occupied by them for the Purpose of the National Gallery, together with the free Use of all Ways and Entrances leading to and from the same; and, subject as aforesaid, all the Residue of the said Building and Premises shall be held by the Commissioners of Public Works, their Successors and Assigns, for such Purposes and Uses connected with the Advancement of the Fine Arts as may

Proviso as to Use and Occupation of Portion of the Building by the Governors and Guardians of National Gallery.

from Time to Time be directed by the Lords Commissioners of Her Majesty's Treasury.

The whole of the Rent of 277*l.* 7*s.* 9*d.* to be paid by the Society.

The whole of the said Rent of Two hundred and seventy-seven Pounds Seven Shillings and Ninepence so reserved by the said Lease of the Fourth Day of *August* One thousand eight hundred and fifty-five shall be paid by the Royal *Dublin* Society, and the said Society shall indemnify the said Commissioners of Public Works, and the said Land and Building so vested in them as aforesaid, of and from all Actions, Suits, Costs, and Charges whatsoever by reason of the Nonpayment of the said Rent, or the Nonobservance of the Covenants and Conditions in the said Lease contained on the Part of the Lessees, so far as the same relate to the Premises demised thereby, other than the Portion thereof so hereby vested in the said Commissioners.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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Will made before Entry ineffectual as to Wages, &c.

3. A Will made after the Commencement of this Act by any Person at any Time previously to his entering into Service as a Seaman or Marine shall not be valid to pass any Wages, Prize Money, Bounty Money, Grant, or other Allowance in the Nature thereof, or other Money payable by the Admiralty, or any Effects or Money in charge of the Admiralty.

Will invalid if combined with Power of Attorney.

4. A Will made after the Commencement of this Act by any Person while serving as a Seaman or Marine shall not be valid for any Purpose if it is written or contained on or in the same Paper, Parchment, or Instrument with a Power of Attorney.

Regulations for Wills of Seamen, &c. as to Wages, &c.

5. A Will made after the Commencement of this Act by any Person while serving as a Seaman or Marine, or when he has ceased so to serve, shall not be valid to pass any Wages, Prize Money, Bounty Money, Grant, or other Allowance in the Nature thereof, or other Money payable by the Admiralty, or any Effects or Money in charge of the Admiralty, unless it is made in conformity with the following Provisions:—

(1.) Every such Will shall be in Writing and be executed with the Formalities required by the Law of *England* in the Case of Persons not being Soldiers in actual Military Service or Mariners or Seamen at Sea:

(2.) Where the Will is made on board One of Her Majesty's Ships, One of the Two requisite attesting Witnesses shall be a Commissioned Officer, Chaplain, or Warrant or Subordinate Officer belonging to Her Majesty's Naval or Marine or Military Force:

(3.) Where the Will is made elsewhere than on board One of Her Majesty's Ships, One of the Two requisite attesting Witnesses shall be such a Commissioned Officer or Chaplain or Warrant or Subordinate Officer as aforesaid, or the Governor, Agent, Physician, Surgeon, Assistant Surgeon, or Chaplain of a Naval Hospital at home or abroad, or a Justice of the Peace, or the Incumbent, Curate, or Minister of a Church or Place of Worship in the Parish where the Will is executed, or a *British* Consular Officer, or an Officer of Customs, or a Notary Public:

A Will made in conformity with the foregoing Provisions shall, as regards such Wages, Money, or Effects, be deemed to be well made for the Purpose of being admitted to Probate in *England;* and the Person taking out Representation to the Testator under such Will shall exclusively be deemed the Testator's Representative with respect to such Wages, Money, or Effects.

As to Wills made by Prisoners of War.

6. Notwithstanding anything in this or any other Act, a Will made after the Commencement of this Act by a Seaman or Marine while

while he is a Prisoner of War shall (as far as regards the Form thereof) be valid for all Purposes if it is made in conformity with the following Provisions:—

(1.) If it is in Writing and is signed by him, and his Signature thereto is made or acknowledged by him in the Presence of and is in his Presence attested by One Witness, being either a Commissioned Officer or Chaplain belonging to Her Majesty's Naval or Marine or Military Force, or a Warrant or Subordinate Officer of Her Majesty's Navy, or the Agent of a Naval Hospital, or a Notary Public:

(2.) If the Will is made according to the Forms required by the Law of the Place where it is made:

(3.) If the Will is in Writing and executed with the Formalities required by the Law of *England* in the Case of Persons not being Soldiers in actual Military Service or Mariners or Seamen at Sea.

Payment under Will not in conformity with Act.

7. Notwithstanding anything in this Act, in case of a Will made after the Commencement of this Act by any Person while serving as a Marine or Seaman, and being either in actual Military Service or a Mariner or Seaman at Sea, the Admiralty may pay or deliver any Wages, Prize Money, Bounty Money, Grant or other Allowance in the Nature thereof, or other Money payable by the Admiralty or any Effects or Money in charge of the Admiralty, to any Person claiming to be entitled thereto under such Will, though not made in conformity with the Provisions of this Act, if, having regard to the special Circumstances of the Death of the Testator, the Admiralty are of opinion that Compliance with the Requirements of this Act may be properly dispensed with.

Commencement of Act.

8. This Act shall commence on such Day, not later than the First Day of *January* One thousand eight hundred and sixty-six, as Her Majesty in Council thinks fit to direct; nevertheless Her Majesty in Council may, if it seems fit, with reference to any Places out of the United Kingdom, direct that this Act do not commence there, respectively, until a Time after that Day, and with respect to every such Place the Time so appointed shall be deemed the Time of Commencement of this Act.

Publication of Orders in Council.

9. Every Order in Council under this Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within Thirty Days after the making thereof, if Parliament is then sitting, and if not, then within Thirty Days after the next meeting of Parliament.

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Payment of Naval and Marine Pay and Pensions according to Order in Council.

3. All Pay, Wages, Pensions, Bounty Money, Grants, or other Allowances in the Nature thereof payable in respect of Services in Her Majesty's Naval or Marine Force to a Person being or having been an Officer, Seaman, or Marine, or to the Widow or any Relative of a deceased Officer, Seaman, or Marine, shall be paid in such Manner, and subject to such Restrictions, Conditions, and Provisions as are from Time to Time directed by Order in Council.

Prohibition of Assignment of Pensions, &c.

4. Any Assignment, Sale, or Contract made after the Commencement of this Act by an Officer, Seaman, or Marine entitled to any Naval Pension,—or by a Person entitled to a Pension as the Widow of an Officer,—or by a Person entitled to an Allowance from the Compassionate Fund,—or by a Person entitled to any Marine Half Pay,—of or in relation to such Pension, Allowance, or Half Pay, shall be void.

Prohibition of Assignment of Wages, &c.

5. Any Assignment, Sale, or Contract made after the Commencement of this Act, of or relating to any Pay, Wages, Bounty Money, Grants, or other Allowances in the Nature thereof, payable in respect of Services in Her Majesty's Naval or Marine Force to a Person being or having been a subordinate Officer, Seaman, or Marine, shall be void.

Exemption from Stamp Duty.

6. All Bills, Orders, Receipts, and other Instruments drawn, given, or made under the Authority or in pursuance of an Order in Council under this Act by, to, or upon any Person in the Service of Her Majesty or of the Admiralty shall be exempt from Stamp Duty.

Proof to be given by Masters claiming Pay of Apprentices.

7. If the Wages of a Seaman or Marine are claimed under an Indenture of Apprenticeship by a Master, they shall be paid to the Seaman or Marine, and not to the Master, unless the Master produces the Indenture, with satisfactory Proof that it was in full Force during the Period for which he claims the Wages, and that the Apprentice was at the Time of the Execution of the Indenture under the Age of Eighteen Years, and had not previously been at Sea.

Saving for Naval Agency Act.

8. Nothing in this Act shall apply to any Money distributable under The Naval Agency and Distribution Act, 1864.

Saving for Naval Discipline Act.

9. Nothing in this Act shall authorize the making by Order in Council of any Rule inconsistent with any Provision affecting Naval or Marine Pay or Pensions contained in The Naval Discipline Act, 1864, or any Act for the like Purposes for the Time being in force.

10. Nothing

10. Nothing in this Act shall take away or abridge any Power vested in One of Her Majesty's Principal Secretaries of State relative to Naval Pensions. Saving for Power of Secretary of State as to Pensions.

11. Her Majesty in Council may from Time to Time make such Orders in Council as seem meet for the better Execution of any of the Purposes of this Act. Orders in Council.

12. Every Order in Council under this Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within Thirty Days after the making thereof if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament. Orders in Council to be published in London Gazette.

13. This Act shall commence on such Day, not later than the First Day of *January* One thousand eight hundred and sixty-six, as Her Majesty in Council thinks fit to direct. Commencement of Act.

Any Order in Council for the better Execution of any of the Purposes of this Act may nevertheless be made before that Day, but not so as to commence before it.

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Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Tramway or Railway across Roads in Devonshire to be continued or made by Order of Secretary of State.

1. It shall be lawful for the said Principal Secretary to order and direct that any existing Tramway or Railway may be continued and maintained, or that any Tramway or Railway hereafter required may be made, over and across any public Road or Highway situated in the Parishes aforesaid, and that the same may be used for the Passage of any Locomotive Engines, Waggons, and Trucks, at such Times and subject to such Regulations as to the said Principal Secretary shall seem meet.

Gates to be made to fence in Railway, &c., and Persons to be employed to attend said Gates.

2. The said Principal Secretary shall forthwith erect and maintain good and sufficient Gates across such Roads on each Side of the Tramway or Railway where the same shall communicate therewith, and shall employ proper Persons to open and shut such Gates, and such Gates shall be kept constantly closed at such Times as the said Principal Secretary shall think fit to order, and such Gates shall be of such Dimensions and so constructed as when closed to fence in the said Tramway or Railway, and prevent Cattle or Horses passing along the Road from entering upon the said Tramway or Railway.

Compensation for Loss of Tolls on Roads to be made.

3. The said Principal Secretary shall, out of Monies voted by Parliament for the Construction of the said Works, make Compensation for Loss of Toll (if any) that may be shown to have been occasioned by or to arise from the Construction of any Tramway or Railway across any Turnpike Road, and out of the same Monies to restore and reinstate, upon the Completion of the said Works, the said Roads or Highways, in the same State and Condition in which the same were before the said Tramway or Railway was laid across the same.

Duration of Powers and Indemnification of Secretary of State

4. The Powers conferred by this Act shall be exercised by the said Principal Secretary only within Three Years after the passing of the same, and the said Principal Secretary shall not by reason of anything done or omitted to be done under this Act be liable to any Fine, Penalty, or Forfeiture, or to the Execution of any Process against his Person or Property.

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Definition of Sewer Authority.

3. The Expression "Sewer Authority" shall, in the several Places in the Schedule annexed hereto in that Behalf mentioned, mean the Persons or Bodies of Persons referred to in the First Column of the Schedule annexed hereto; and the Term "District," in relation to a Sewer Authority, shall, as respects each Authority, mean the Place in that Behalf referred to in the Second Column of the said Schedule.

"Local Board" shall mean a Local Board authorized in pursuance of the "Public Health Act, 1848," and "The Local Government, Act, 1858," or One of such Acts.

Powers of Sewer Authorities.

4. Sewer Authorities shall have Power to construct such Sewers as they may think necessary for keeping their District properly cleansed and drained, and shall, as respects all Sewers constructed by them or under their Control, whether the same were made before or after the passing of this Act, have all the Powers that Local Boards have, in respect of Sewers vested in or constructed by them, under the Forty-fifth and Forty-sixth Sections of "The Public Health Act, 1848," the Thirtieth Section of "The Local Government Act, 1858," and the Fourth Section of "The Local Government Act, 1858, Amendment Act, 1861," subject to the Provisions of the Fifth and Sixth Sections of the last-mentioned Act, and to the Saving Clauses in "The Local Government Act, 1858," mentioned, from Sixty-eight to Seventy-four, both inclusive; and in *Scotland*, in addition to such of the aforesaid Powers as are applicable to *Scotland*, all the Powers contained in Section Seven (Public Sewers) of Part Four of "The General Police and Improvement (*Scotland*) Act, 1862."

Power of Entry.

5. The Sewer Authority shall have the Powers of Entry conferred by the One hundred and forty-third Section of the "Public Health Act, 1848," for the Purposes of making or keeping in repair any Works made or to be made by them, as well as for the Purposes specified in the said Section.

Payment of Expenses.

6. A Sewer Authority shall pay all Expenses incurred by them in carrying this Act into effect out of the Fund or Rate in the Schedule in that Behalf mentioned, and shall have all such Powers of borrowing Money on the Security of such Fund or Rate as Local Boards have of borrowing Money under "The Local Government Act, 1858," and the Acts amending that Act, on the Security of the Funds or Rates in the said Acts in that Behalf mentioned, subject to the Conditions and Sanction under which such Powers are exercised by Local Boards under the said Acts.

7. A Sewer

7. A Sewer Authority shall, for the Purposes of this Act, have the Powers of taking Lands conferred on Local Boards by the Seventy-fifth Section of "The Local Government Act, 1858," and any Act amending the same. Power to take Lands.

8. Full Compensation shall be made, out of any Fund or Rate applicable to the Purposes of this Act, to all Persons sustaining any Damage by reason of the Exercise of any of the Powers of this Act; and in case of Dispute as to Amount, the same shall be settled by Arbitration, as provided in "The Public Health Act, 1848," or any Act amending the same, or if the Compensation claimed do not exceed the Sum of Twenty Pounds, the same may be ascertained by and recovered before Justices in a summary Manner, in manner provided by the Acts mentioned in this Section. Compensation.

9. Two or more Sewer Authorities, including under that Expression for the Purposes of this Section Local Boards, may combine together for the Purpose of executing and maintaining any Works that may be for the Benefit of their respective Districts, and all Monies they may agree to contribute for the Execution and Maintenance of such common Works shall, in the Case of each Authority, be deemed to be Expenses incurred by them in the Execution of Works within their District, and shall be raised accordingly. Power of Sewer Authorities to combine

10. A Sewer Authority, with the Sanction of Her Majesty's Attorney General in *England*, and of the Attorney General for *Ireland* in *Ireland*, and of the Lord Advocate in *Scotland*, may, either in its own Name or in the Name of any other Person, with the Consent of such Person, take such Proceedings by Indictment, Bill in Chancery, Action, or otherwise, as it may deem advisable, for the Purpose of protecting any Watercourse within its Jurisdiction from Pollutions arising from Sewage either within or without its District; and the Costs of and incidental to any such Proceedings, including any Costs that may be awarded to the Defendant, shall be deemed to be Expenses properly incurred by the Sewer Authority in carrying into effect the Purposes of this Act. Sewer Authority may take Proceedings to prevent Pollution of Streams.

11. Nothing contained in this Act, or in the Acts referred to therein, shall authorize any Sewer Authority to make a Sewer so as to drain direct into any Stream or Watercourse. Sewers not allowed to drain into any Stream, &c.

12. The

Power to Public Works Loan Commissioners to lend Money to Sewer Authorities.

12. The Public Works Loan Commissioners, as defined by "The Public Works Loan Act, 1853," may advance to any Sewer Authority, upon the Security of any Rate applicable to the Purposes of this Act, without any further Security, such Sums of Money as may be recommended by One of Her Majesty's Principal Secretaries of State, to be applied by such Authority in carrying into effect the Purposes of this Act.

Powers of Act cumulative.

13. All Powers given by this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred on any Sewer Authority by Act of Parliament, Law, or Custom; and the Sewer Authority may exercise such other Powers in the same Manner as if this Act had not passed.

Sewer Authority may enter into Contract for Supply of Sewage

14. The Sewer Authority of any Place may from Time to Time, for the Purpose of utilizing its Sewage, agree with any Person or Body of Persons, corporate or unincorporate, as to the Supply of such Sewage, and Works to be made for the Purpose of that Supply, and the Parties to execute the same and to bear the Costs thereof, and the Sums of Money, if any, to be paid for that Supply; provided that no Contract shall be made for the Supply of Sewage for a Period exceeding Twenty-five Years.

Application of 27 & 28 Vict. c. 114. to Works, &c. for Supply of Sewage.

15. The making of Works of Distribution and Service for the Supply of Sewage to Lands for Agricultural Purposes shall be deemed an "Improvement of Land" authorized by the "Land Improvement Act, 1864," and the Provisions of that Act shall apply accordingly.

Board of Works in Ireland to have Power of Secretary of State in Sewage Matters.

16. The Commissioners of Public Works in *Ireland* shall, in respect to any Sewage Authority or Sewage Matter in *Ireland*, have and exercise all the Powers conferred by this Act, or any Act incorporated herewith, on One of Her Majesty's Principal Secretaries of State; and all Applications by this Act, or any Act incorporated herewith, authorized or directed to be made to One of Her Majesty's Principal Secretaries of State in respect to Sewage Matters, or the Powers conferred by this Act on Sewage Authorities, shall in *Ireland* be made to the Commissioners of Public Works; and all Orders made on such Applications by said Commissioners shall have the same Force and Effect as Orders made by One of Her Majesty's Principal Secretaries of State on similar Applications in *England* and *Scotland*.

SCHE-

SCHEDULE.

ENGLAND AND WALES.

Description of Local Authority.	Description of Places.	Rate or Fund out of which Expenses to be paid.
The Mayor, Aldermen, and Burgesses acting by the Council.	In Boroughs, with the Exception of the Boroughs of Oxford and Cambridge, not within the Jurisdiction of a Local Board.	The Borough Fund or Borough Rate.
The Commissioners, Trustees, or other Persons intrusted by any Local Act of Parliament with Powers of improving, cleansing, lighting, or paving the Town.	The Boroughs of Oxford and Cambridge, and any Town or Place not included within the above Descriptions, and under the Jurisdiction of Commissioners, Trustees, or other Persons intrusted by any Local Act with Powers of improving, cleansing, lighting, or paving any Town.	Any Rate leviable by the Commissioners, Trustees, or other Persons.
The Vestry, Select Vestry, or other Body of Persons acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise, as or instead of a Vestry or Select Vestry.	In Parishes not within the Jurisdiction of any Sewer Authority herein-before mentioned, and in which a Rate is levied for the Maintenance of the Poor.	The Poor Rate.

SCOTLAND.

The Town Council -	Places within the Jurisdiction of any Town Council and not subject to the separate Jurisdiction of Police Commissioners or Trustees.	The Revenue of the Burgh, or any Rate applicable to Sewers leviable by the Town Council.
The Police Commissioners or Trustees.	In Places where Police Commissioners or Trustees exercise the Functions of Police Commissioners or Trustees under any General or Local Act.	Any Rate leviable by the Commissioners or Trustees, or any Fund belonging to them.
The Parochial Board -	Any Town or Village not included in the above Descriptions.	The Poor Rate.

IRELAND.

Description of Local Authority	Description of Places.	Rate or Fund out of which Expenses to be paid.
The Right Hon. the Lord Mayor, Aldermen, and Burgesses.	The City of Dublin - - -	The District Sewer Rate.
The Mayor, Aldermen, and Burgesses.	Towns Corporate or Boroughs (with the Exception of Dublin).	Any Rate leviable by the Town Council, or any Fund belonging to them, applicable in the whole or in part to the making or repairing of Sewers within their Jurisdiction.
The Town Commissioners or other Governing Body.	Towns having Town Commissioners under 9 G. 4. c. 82. or 17 & 18 Vict. c. 103., or any Acts amending the same, or having Commissioners or other Governing Body under any Local Act.	Any Rate leviable by these Bodies, or any Fund belonging to them, applicable in the whole or in part to the making or repairing of Sewers within their Jurisdiction.
The Board of Guardians or any Committee thereof appointed by the Board.	Any Town or Village in any Union not included in the above Descriptions.	The Poor Rate; but the Expenses to be charged only on the Electoral Division in which the Town or Village is situated.

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CAP. LXXVI.

An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Girvan*, *Mevagissey*, and *Stornoway*.

[29th *June* 1865.]

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas the Board of Trade have made certain Provisional Orders: And whereas those Orders have been amended by Parliament, and are, as so amended, set out in the Schedule hereto: And whereas it is expedient that the Orders so set out in the Schedule hereto be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The

Confirmation of Orders in Schedule.

1. The Orders set out in the Schedule hereto shall be and are hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1865, (No. 3.)

The SCHEDULE of Orders.

1. Girvan.
2. Mevagissey.
3. Stornoway.

SCHE-

SCHEDULE to which the foregoing Act refers.

GIRVAN.

Order for the Improvement and Regulation of the Harbour of Girvan in the County of Ayr.

Incorporation of Commissioners.

1. There shall be a body of Commissioners for carrying this Order into execution, which Commissioners and their successors shall be and are hereby, for the purposes of this Order, incorporated by the name of The Harbour of Girvan Improvement Commissioners, and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, lease, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Meaning of "the Commissioners"

2. The term "the Commissioners," when hereafter used in this Order, means the Harbour of Girvan Improvement Commissioners.

Appointment of the several Commissioners

3. The appointment of the Commissioners shall be regulated as follows:—

(1.) The following two persons are hereby appointed Commissioners, namely,—

The heir of entail in possession for the time being of the estate known by the name of the Bargany Estate;

The Right Honourable Thomas Francis Kennedy, and after his death the heir of entail in possession for the time being of the estate known by the name of the Dalquharran and Girvan Mains Estate;

And in the absence of such Commissioners, or of either of them, the Factor holding the mandate of the absent Commissioner, or of his guardian or guardians should such Commissioner be an infant, may act for his principal to all intents and purposes under this Order as if he were himself such principal:

(2.) The Glasgow and South-western Railway Company, acting by the directors of the company, shall, as soon as may be after the commencement of the operation of this Order, appoint from among the directors or shareholders of that company two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those two Commissioners shall appoint another person to fill the vacancy, and so toties quoties; provided that each appointment of a Commissioner shall be determinable at any time by the authority of the said company:

(3.) The registered shipowners of Girvan shall from time to time elect two persons to be Commissioners:

(4.) Two of the Commissioners shall be appointed annually by the Town Council of Girvan; and whenever a vacancy is caused by death, resignation, or otherwise in the office of either of those two Commissioners within his year of office, another person shall be appointed by the Town Council to fill the vacancy.

4. The

Election of Commissioners by Girvan shipowners

4. The election of Commissioners by the registered shipowners of Girvan shall be regulated as follows:—

(1.) The first meeting of the registered shipowners of Girvan for the election of Commissioners shall be held within the Town Hall of Girvan within one calendar month from the commencement of the operation of this order at a time to be advertised by Mr. William Murray, of Girvan, writer, ten days at least, and in his default by some person appointed by the Board of Trade three days at least, before the day of meeting, by hand-bills posted in Girvan:

(2.) Annual meetings of the registered shipowners of Girvan for the election of Commissioners shall be held within the Town Hall of Girvan aforesaid, or at such other place within Girvan as the Commissioners from time to time appoint, on such day as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand-bills posted in Girvan:

(3.) All persons owners of vessels or shares in vessels registered at the Custom House of Ayr as belonging to the Port of Girvan to the extent of ten registered tons or upwards, and having been possessed thereof for six months immediately previous to the date of election, and none others, shall have a voice or vote at every such meeting; and such shipowners, being so assembled, shall elect a preses and clerk, and those present shall, if required, satisfy the preses or clerk of his qualification, by the production of the register or registers of a vessel or vessels, or by the certificate of the collector or comptroller of the Customs of the Port of Ayr; and for every such certificate the collector or comptroller, on delivery of the same, shall be entitled to a fee not exceeding two shillings and sixpence from the person requiring the same:

(4.) Each registered shipowner, qualified as aforesaid, shall be entitled to one vote and no more, for each of the persons proposed to be elected Commissioners; and in case of an equality the preses shall be entitled to a casting vote; and a certificate of the election, signed by the preses, shall be forthwith transmitted to the clerk of the Commissioners, and shall be conclusive evidence of the persons or person thereby appearing to have been elected having been elected:

(5.) Such one of the Commissioners elected by shipowners at the first meeting as is named last on the list of persons elected shall go out of office at the second meeting, but shall be re-eligible; the remaining one shall go out of office at the third meeting, but shall be re-eligible:

(6.) Each Commissioner elected by the registered shipowners of Girvan at the second meeting, and at subsequent annual meetings, shall go out of office at the second meeting after his election, but shall be re-eligible:

(7.) Section Nineteen of The Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Incorporation of Parts of 10 & 11 Vict c. 16.

5. The Commissioners Clauses Act, 1847, so far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order, and shall so far as the nature and circumstances of the case will admit, apply to

to the Commissioners collectively and severally, subject to the following provisions:—

(1.) Sections six, seven, seventeen, and eighteen, and sections twenty to thirty-five, both inclusive, of the last-mentioned Act shall not be incorporated with this Order:

(2.) With reference to section thirty-nine of the same Act, the prescribed number (constituting a quorum) of the Commissioners shall be three:

(3.) Section fifty-four of the same Act shall not be incorporated with this Order:

(4.) With reference to section eighty-four of the same Act, the sum to be every year appropriated and set apart out of the rates as a sinking fund shall be not less than one fiftieth part of the principal monies borrowed, such appropriation to commence from the expiration of twelve months after full rates are exigible under this Order:

(5.) With reference to section ninety of the same Act, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed.

Undertakers.

6. The Commissioners shall be the undertakers of the works authorized by this Order.

Commencement of Commissioners' powers.

7. The Commissioners shall be deemed fully constituted and incorporated, and shall commence to act under this Order, as soon as four persons have been appointed Commissioners in addition to the two appointed by this Order; and any proceeding of the Commissioners shall not be invalidated or be illegal by reason of the non-appointment of any Commissioner, or by the want of qualification of any person acting as Commissioner, or by any informality in the appointment or election of any Commissioner.

Limits of Harbour.

8. The limits within which the Commissioners shall have authority (which shall be deemed the limits to which this Order extends) shall comprise the works by this Act authorized, and the lands, foreshore, and sea contained within the same, and shall extend from the wooden bridge which crosses the water of Girvan at or near Newton Kennedy down to and including the whole of the present harbour and quay walls, and to a distance of three hundred yards in a circle seaward from high-water mark at ordinary spring tides, the centre of the circle being a point at the entrance to the river midway between the extreme points of the proposed northern and southern piers.

Power to take lands by agreement.

9. For the purposes of the works authorized by this Order, the Commissioners may from time to time, by agreement, enter on, take, and use such lands in and around Girvan Harbour as may be required for the proposed works, not exceeding in the whole five acres.

Incorporation of Lands Clauses Acts.

10. The Lands Clauses Consolidation (Scotland) Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to execute works.

11. Subject to the provisions of this Order, the Commissioners may, on the site designated by this Order, and according to the deposited plans and sections, execute and maintain the works shown on the deposited plans and sections.

Description of works.

12. The works authorized by this Order comprise the following:—

(1.) The general deepening, improving, and enlarging of the Harbour of Girvan;

(2.) A pier on the south side of the said harbour extending from high-water mark seaward a distance of three hundred and ninety feet or thereby;

(3.) A pier and harbour wall on the north side of the said harbour, commencing at a jetty belonging to the Maybole and Girvan Railway Company, and terminating at a point seven hundred feet or thereby seaward from the said jetty;

with all necessary quays, wharves, jetties, landing-places, approaches, warehouses, offices, sheds, weighing machines, works, and conveniences connected with the proposed pier and wall.

Anchorage dues abolished, and Schedule of new rates.

13. The anchorage dues hitherto leviable in the existing harbour shall continue leviable for twelve months only from the commencement of the operation of this Order, and shall then cease to be levied; and thenceforth the Commissioners may demand and receive rates in respect of the vessels, persons, animals, and goods described in the Schedule to this Order, subject to the other provisions of this Order, and subject and according to the following provisions; namely,—

(1.) Until the Commissioners have expended the sum of six thousand pounds on works authorized by this Order they may demand and receive any rates not exceeding in each instance one half of those specified in the Schedule to this Order;

(2.) As soon as they have expended the sum of six thousand pounds on works authorized by this Order they may demand and receive rates not exceeding those specified in that Schedule;

(3.) If, however, within two years from the commencement of the operation of this Order the harbour is not completed and fit for the reception at all jetties now existing, and at all quays and jetties to be constructed under this Order, of vessels capable of carrying two hundred tons of coals or other goods, then from the expiration of those two years the Commissioners shall not demand or receive any rates under this Order until the harbour is so completed and fit;

(4.) If, moreover, within three years from the commencement of the operation of this Order, the harbour is not completed and fit for the reception, at all jetties now existing and at all quays and jetties to be constructed under this Order, of vessels capable of carrying three hundred tons of coals or other goods, then from the expiration of those three years the Commissioners shall not demand or receive any rates under this Order until the harbour is so completed and fit;

(5.) The Board of Trade may, nevertheless, if they think it expedient, extend the said period of three years for any time or times not exceeding in the whole one year.

Evidence of expenditure, &c.

14. A certificate under the hand of the sheriff of the county of Ayr shall be conclusive evidence that the sum of six thousand pounds has been expended as aforesaid, or that the harbour is completed and fit as aforesaid (as the case may

may require); and the sheriff shall sign and give such certificate on proof being adduced to him of the expenditure, or of the completion and fitness, required to be certified

Certain fishing vessels under stress of weather exempt from rates

15. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Customs Officers

16. Officers of customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, through, and out of the harbour and the works of the Commissioners by land, and with their vessels and otherwise without payment.

Abolition of anchorage and other rights

17 From and after the expiration of twelve months from the commencement of the operation of this Order all rights of the Duchesse de Coigny in respect of the custom of anchorage in Girvan Harbour, and any other right, privilege, or custom in, over, or affecting Girvan Harbour or the waters thereof, so far as the same may interfere with the rights, powers, or duties of the Commissioners, shall be abolished, but nothing in this Order shall apply to or in any manner affect any agreement now subsisting between the said Thomas Francis Kennedy and the Maybole and Girvan Railway Company.

Borrowing power

18. The Commissioners may from time to time borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of fifteen thousand pounds, on the security of the works authorized by this Order, and of the lands and property connected therewith, and of the rates authorized by this Order, or of any of those particulars, or of any other the property of the Commissioners; and any money borrowed under this Order, and discharged otherwise than by means of the sinking fund, may be re-borrowed if required for the purposes of this Order, and so toties quoties

Money to be applied for purposes of Order

19. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Application of rates and income.

20. The Commissioners shall apply all money received by them from the rates authorized by this Order, and all other income coming into their hands in respect of the works authorized by this Order, or from lands or property connected therewith, for the purposes and in the order following, and not otherwise:—

(1.) In paying year by year the expenses of the maintenance, management, and regulation of the works authorized by this Order, and of the lands and property connected or used therewith:

(2) In paying off a debt or debts due to the said Duchesse de Coigny, and not exceeding in the whole the sum of six hundred pounds, the exact amount of which (not exceeding that sum) is to be ascertained by a single referee to be named by the Sheriff Substitute of the county of Ayr at Ayr:

(3.) In paying a sum of twenty-five pounds in every year after the expiration of twelve months from the commencement of the operation of this Order to the said Duchesse de Coigny, or the heir of entail

entail in possession for the time being of the said estate of Bargany, as compensation for the said custom of anchorage:

(4) In paying year by year the interest accruing on money borrowed under the authority of this Order, and any sum payable on account of the principal thereof:

(5) In expending the surplus (if any) towards the deepening and improvement and general purposes of the Harbour.

Commissioners may provide engines, lighters, &c

21. The Commissioners may for the purposes of the works authorized by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving bells, ballast lighters, rubbish lighters, tools, plant, or other materials as they think fit, and may from time to time, as they think fit, sell and dispose of any such dredges, engines, tugs, vessels, diving bells, lighters, tools, plant, and materials as aforesaid, and shall apply the money thereby realized for carrying into effect the purposes of this Order, or some of them.

Pilotage, lights, buoys, and beacons

22. The Commissioners shall be a pilotage authority and local authority within the meaning of The Merchant Shipping Act, 1854, and the Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Meters and weighers.

23 The Commissioners shall have the appointment of meters and weighers within the limits of the harbour.

Lands for extraordinary purposes

24. The Commissioners shall not acquire for extraordinary purposes lands exceeding in extent in the whole one acre.

Exception of parts of Harbours Clauses Act

25. Sections sixteen, seventeen, eighteen, nineteen, twenty-five, and twenty-six of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Confirmation of byelaws, and provision for management of Harbour

26. Any Byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed by the Board of Trade, which allowance shall be sufficient as confirmation thereof for all purposes; and it shall not be lawful for the Harbour Master by virtue of section fifty-two of that Act, or of any other authority, or for the Commissioners, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Saving for rights of third parties

27 Nothing in this Order shall confer on or confirm to the said Duchesse de Coigny, her heirs, executors, administrators, successors, or assigns, or on or to the said Thomas Francis Kennedy, his heirs, executors, administrators, successors, or assigns, any estate, right, title, or interest in any property or thing, or affect the estate, right, title, or interest (if any) of any person claiming any property or thing adversely to the said Duchesse, her heirs, executors, administrators, successors, or assigns, or to the said Thomas Francis Kennedy, his heirs, executors, administrators, successors, or assigns.

Costs of Order

28 The Commissioners shall pay the costs of and connected with the obtaining, preparation, and making of this Order out of the first money which comes to their hands under this Order.

Short title

29. This Order may be cited as The Harbour of Girvan Improvement Order, 1865.

SCHEDULE

SCHEDULE to which the foregoing Order refers

TABLE I.—RATES ON VESSELS ENTERING OR USING THE HARBOUR FOR SHIPPING, UNSHIPPING, OR TRANSHIPPING GOODS OR PASSENGERS.

	s.	d.
For every vessel under the burden of fifteen tons, per register ton	0	2
For every vessel of the burden of fifteen tons and upwards, per register ton	0	4
For every vessel remaining in the harbour beyond one month, for each additional month, per register ton, every fraction of a month being considered as one month	0	2
All boats entirely open landing or taking on board goods, each time	0	6
All open boats belonging to the harbour engaged in the fishery on the coast, yearly	2	6

TABLE II.—RATES ON ANIMALS AND GOODS SHIPPED, UNSHIPPED, OR TRANSHIPPED WITHIN THE HARBOUR.

		s.	d.
Apples	per bushel	0	0½
Ale	per hogshead	0	2
Ale, bottled	per barrel bulk	0	1
Bark	per ton	0	8
Beef or Pork	per ton	0	8
Beef or Pork	per barrel	0	1
Blubber	per tun of 252 gallons	1	0
Bone dust	per ton	0	6
Bones of cattle	per ton	0	4
Bottles	per gross	0	2
Bricks	per 1,000	0	8
Casks, empty, not being returned packages	per puncheon	0	1
Other casks in proportion.			
Cattle:			
Bulls	each	0	3
Cows and oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per score	0	6
Lambs	per score	0	3
Chalk	per ton	0	3
Chimney cans	per hundred	1	0
Clay, fire, manufactured	per ton	0	6
Clay, common	per ton	0	2
Cloth, haberdashery, &c.	per barrel bulk	0	1
Coaches:			
Chaises and other four-wheeled carriages	each	0	8
Gigs, carts, and other two-wheeled carriages	each	0	6
Coals, Scotch, English, smithy, and culm	per ton	0	2
Copper	per ton	0	6
Corks	per barrel bulk	0	1

		s.	d.
Corn:			
Wheat and malt	per ton	0	5
Barley, beans, peas, tares, oats, rye, buckwheat, and Indian corn	per ton	0	5
Crystal	per barrel bulk	0	1
Dissolved bones, and other artificial manure	per ton	0	5
Dogs, sporting only	each	0	1
Drugs	per barrel bulk	0	1
Draff	per ton	0	5
Earthenware	per crate	0	4
Eggs	per barrel bulk	0	1
Fish, dried and salted	per ton	0	5
Haddocks, cod, salmon, and all fresh fish not enumerated	per barrel bulk	0	1
Flax	per ton	0	8
Flour	per ton	0	5
Ditto	per barrel	0	0½
Glass	per barrel bulk	0	1
Groceries:			
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like	per barrel bulk	0	1
Guano	per ton	0	5
Gunpowder	per barrel	0	2
Hardware	per barrel bulk	0	1
Hares and rabbits	per barrel bulk	0	1½
Any less quantity		0	1
Hay, if compressed	per ton	0	6
Hay, not compressed	per ton	0	8
Hemp	per ton	0	10
Herrings:			
Fresh	per cran	0	1
Cured	per barrel	0	1
Hides:			
Ox, cow, or horse, salted or dried	per ton	0	8
Calf skins	per 120	0	4
Sheep skins	per 120	0	4
Lamb skins	per 120	0	2
Hoops of wood	per ton	0	6
Household Furniture:			
New	per barrel bulk	0	
Belonging to parties changing their residence only	per 10 barrels bulk	0	6
Husbandry utensils	per ton	0	6
Ditto	per barrel bulk	0	1
Iron:			
Bar, bolt, and rod	per ton	0	4
Pig or old	per ton	0	2
Kelp	per ton	0	4
Lead, all kinds	per ton	0	6
Leather, tanned and dressed	per ton	0	8
Lime	per ton	0	2
Loam, or moulding sand	per ton	0	2
Machinery	per ton	0	6
Machinery	per barrel bulk	0	1
Manure, street	per ton	0	2
Meal	per ton	0	5
Milk	per 3 large pitchers	0	0½
Musical instruments	per barrel bulk	0	1

Pier and Harbour Orders Confirmation (No. 3.)

		s.	d.
Oils	per ton	0	6
Ores:			
Copper, iron, lead, and other ores	per ton	0	2
Passengers' luggage, not exceeding 4 barrels bulk, free. All above 4 barrels bulk	per barrel bulk	0	1
Peats	per ton	0	2
Pitch	per barrel	0	1
Porter	per hogshead	0	2
Porter, bottled	per barrel bulk	0	1
Potatoes	per ton	0	3
Poultry, including pigeons, game, &c.	per barrel bulk	0	1
Any less quantity		0	0½
Rags, linen	per ton	0	6
Other rags, old ropes, and the like	per ton	0	6
Rape cakes	per ton	0	5
Salt	per ton	0	3
Seeds:			
Flax and Rape	per ton	0	6
Clover	per ton	0	6
Garden	per ton	0	6
Hemp and Canary	per ton	0	6
Ryegrass	per ton	0	6
Skins, seal	per 120	0	8
Slates	per ton	0	4
Spirits, foreign and British	per hogshead of 56 gallons	0	6
Stones:			
Freestone, pavement, and granite, per ton of 16 cubic feet		0	2
Scythe stones	per ton	0	6
Millstones	each	0	4
Limestones, and other stones	per ton	0	1
Steel	per ton	0	6
Sugar	per ton	0	6
Tallow	per ton	0	6
Tar	per barrel	0	0¾
Tea	per chest	0	1
Tiles, roofing	per ton	0	4
Tiles, or pipes, for draining	per ton	0	4
Tin of all kinds	per ton	0	6
Tobacco	per ton	0	8
Treenails under 2 feet in length	per 1,000	0	4
Treenails exceeding 2 feet in length	per 1,000	0	8
Turnips	per ton	0	2
Turpentine	per hogshead	0	2
Vegetables	per cartload	0	2
Vinegar	per hogshead	0	2
Vitriol	per carboy	0	1
Whalebone	per ton	0	8
Wine	per hogshead	0	4
Wine, bottled	per barrel bulk	0	1
Wood:			
Fir, pine, and other descriptions not enumerated, per load of 50 feet, calliper measure		0	4
Oak or wainscot, per load of 50 feet do.		0	6
Firewood	per fathom	0	6
Laths and lathwood, per fathom of 216 cubic feet		0	8
Handspokes	per 120	0	6
Oars	per 120	1	0

		s.	d.
Wood—*continued.*			
Spars under 22 feet in length, above 2½ and under 4 inches in diameter	per 120	1	0
Spars 2½ inches in diameter, and under	per 120	0	9
Spars 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	2	6
Spars of all lengths, above 4 and under 6 inches in diameter	per 120	5	4
Spokes of wheel, not exceeding 2 feet in length	per 120	0	2
Spokes exceeding 2 feet in length	per 120	0	3
Wedges	per 1,000	0	6
Pipe staves, and others in proportion	per standard hundred	0	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	0	6
Wool	per cwt.	0	0½
Yarn	per ton	0	10
Zinc	per ton	0	6

All other goods not particularized above.

Light goods	per barrel bulk	0	1
Heavy goods	per ton	0	6

In charging the rates on goods the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding two and a half cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than two and a half cwt., then two and a half cwt. to be rated as a barrel bulk.

TABLE III.—RATES FOR THE USE OF CRANES, WEIGHING MACHINES, WAREHOUSES OR SHEDS, HURRIES, HAWSERS, &c.

I.—*Rates for Craneage.*

		s	d
For all goods or packages not exceeding 1 ton		0	3
" exceeding 1 ton and not exceeding 2 tons		0	4
" " 2 tons " 3 tons		0	6
" " 3 tons " 4 tons		0	8
" " 4 tons " 5 tons		0	10
" " 5 tons " 6 tons		1	0
" " 6 tons " 7 tons		1	2
" " 7 tons " 8 tons		1	4
" " 8 tons " 9 tons		1	8
" " 9 tons " 10 tons		2	0
" " 10 tons		3	0

II.—*Dues for Weighing Machines.*

For goods weighed, 1*d.* for each ton or part of a ton.

III.—*Warehouse or Shed Dues*

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt, which shall remain in the warehouse or sheds, or on the quays of the harbour, for a shorter time than 48 hours, the sum of 2*d*; and the sum of 1½*d* per ton for each day during which such goods shall remain after the first 48 hours.

IV.—*Dues*

IV.—*Dues for Hurries.*

For each ton of goods of 20 cwt. shipped by means of the hurries, ½*d.* per ton.

V.—*Hawser Dues.*

For every vessel under the burden of 100 tons using any hawser the property of the trustees, 6*d.* per vessel; for every vessel of the burden of 100 tons or upwards, 1*s.* per vessel.

VI.—*Pilotage Dues.*

	s.	*d.*
Coasting vessels, per register ton - - - - -	0	1½
Oversea vessels - - - - - - -	0	2

VII.—*Rates for Planks and Shutes.*

Vessels under the burden of 20 tons to be exempt.

	Per Vessel. *s.*	*d.*
For every vessel of the burden of 20 tons and not exceeding 25 tons -	0	6
For every vessel exceeding the burden of 25 tons but not exceeding 100 tons - - - - - - - - -	1	0
For every vessel of the burden of 100 tons and upwards - -	2	0

VIII.—*Rates for Towing Vessels.*

	Per Ton. *s.*	*d.*
For every vessel registering 40 tons or upwards coming into or going out of the Harbour - - - - - -	0	1

Vessels to be towed for the above rates from or to half a mile beyond the present pier-head of the harbour.

TABLE IV.—RATES ON PASSENGERS, &c.

	s.	*d.*
For every passenger landing on or embarking from any of the piers, quays, and jetties from or on any steam vessel, for every time -	0	2

MEVAGISSEY.

Order to enable the Trustees of the Pier and Harbour of Mevagissey in the County of Cornwall to construct new Piers and Wharves, and extend the Harbour, and for the Maintenance and Regulation of the Piers and Harbour.

1. The Act described in Schedule A. to this Order (hereafter in this Order called the Local Act) shall cease to be of any validity or force whatsoever; but all debts and money due from or to the trustees under that Act, or from or to any persons on their behalf, shall be payable and paid to the trustees incorporated by this Order, and all tolls, rates, duties, and money due or payable by virtue of that Act from or to the trustees thereunder shall be due or payable from or to the trustees incorporated by this Order, and shall be recoverable from or by the last-mentioned trustees by the same ways and means, and subject to the same conditions, as the same would or might have been recoverable from or by the trustees under that Act if it had not been repealed.

Act 15 Geo. 3 to cease to operate

Incorporation of trustees.

2. The existing trustees under the said Local Act, and their successors, to be qualified, elected, or appointed as hereafter in this Order provided, shall be and are hereby for the purposes of this Order incorporated by the name of The Trustees of Mevagissey Harbour, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of land and other property for the purposes of the undertaking, but subject to the restrictions of this Order; and in this Order the term "the trustees" means the trustees of Mevagissey Harbour by this Order incorporated.

Permanent trustees.

3. The several persons for the time being seised of the freehold or inheritance of the several houses following, namely, of Carhayes in the Parish of St. Michael Carhayes, of Trewarthenick in the Parish of Cornelly, of Penrice in the Parish of St. Austell, and of Heligan in the Parish of St. Ewe, and the Vicar of Mevagissey for the time being, shall be trustees.

Elected trustees.

4. All persons for the time being seised of the freehold or inheritance of any lands, tenements, or hereditaments (except those possessed of a freehold under a lease granted for a life or lives absolute, with a reserved yearly rent payable out of the same,) within the town and parish of Mevagissey of the clear yearly value of ten pounds above reprizes, and all persons inhabitants of the town of Mevagissey possessed of or entitled to real or personal estate of the value of five hundred pounds, and all persons inhabitants of the town of Mevagissey rated to the poor rate in the annual sum of fifteen pounds, shall be qualified to be elected trustees.

Number of elected trustees.

5. The number of elected trustees shall not exceed nine.

Election of trustees.

6. Whenever a vacancy occurs in the number of the elected trustees, either existing under the said Local Act or elected under this Order, the trustees shall at a special meeting appointed for the purpose elect another qualified person to be a trustee, and so toties quoties.

Appointment of trustees by Board of Trade.

7. The Board of Trade may appoint two persons to be trustees, and whenever a vacancy occurs in the office of either of those two trustees, by death, resignation, or otherwise, may appoint another person to fill the vacancy, and so toties quoties.

Incorporation of Commissioners Clauses Act.

8. The Commissioners Clauses Act, 1847, except so much thereof as relates to the election and rotation of Commissioners, is hereby incorporated with this Order, and for the purposes of this Order the expression "the limits of the special Act" used in that Act shall mean the town of Mevagissey.

Quorum of trustees.

9. The quorum of a meeting of the trustees shall be seven.

Annual meeting.

10. The annual meeting of the trustees shall be held between the 10th of April and the 10th of May, both exclusive.

No trustee to have any place or profit.

11. Any person who at any time after his appointment or election as a trustee accepts or continues to hold any office or place of profit under this Order shall thenceforth cease to be a trustee, and his office shall thereupon become vacant.

12. All

12. All the existing piers, quays, wharfs, docks, and other works in and near the harbour of Mevagissey, and the ground and soil thereof, and all sums of money, rates, tolls, duties, and other property, rights and powers, vested in or belonging to the existing trustees, are hereby transferred to and vested in the trustees incorporated by this Order for the purposes of this Order, and possession thereof may be taken or recovered accordingly. Existing works and property vested in the incorporated trustees.

13. For the purposes of the works authorized by this Order, the trustees may, from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plan as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

14. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase or taking of lands otherwise than by agreement, are hereby incorporated with this Order. Lands Clauses Acts incorporated.

15. Subject to the provisions of this Order, the trustees may, on the lands vested in or purchased or taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and section, make, execute, and maintain the works shown on the deposited plan, and herein-after described. Power to make works.

16. The works authorized by this Order comprise the following:— Description of principal works.

(1.) A breakwater, containing a surface area of about two acres;—the sea side extending from the outer part of a rock called Benny's Island, to the outer part of a rock called the Black Rock, about 480 feet long;—the harbour side extending from that part of the eastern arm and wharf of the present pier which adjoins the Gurnets to the Black Rock, about 480 feet;—and an arm and wharf about 400 feet long, extending from the Black Rock (and being a continuation of the said breakwater) in a southerly direction:

(2.) An extension of the eastern end of the present northern wharf for about 165 feet, so as to connect it with the eastern arm and wharf of the present pier:

(3.) A short arm about 219 feet in length, extending in a north-easterly direction from a point called Point Stuckham:

(4.) A wharf about 120 feet long, to connect the present northern wharf with the jetty called the Jetty Head:

(5.) A wharf about 99 feet long, to connect the said jetty with the present western wharf:

(6.) A wharf extending along the western side of the harbour under the cliff from the base of the said short arm until it meets the western wharf of the present pier, near the doorway called the Quay Door, about 849 feet in length.

17. The trustees may also make, execute, and maintain the following works:— Incidental works.

(1.) All piers, jetties, landing places, roads, steps, approaches, embankments, and other works and conveniences connected with the wharves, quay, pier, or breakwater aforesaid, for the reception and accommodation

dation of vessels and their cargoes, and for the embarking and landing of persons, fish, animals, and goods:

(2.) The sufficient and effectual dredging, scouring, cleansing, and removing of any banks of sand or mud within or adjoining any of the works aforesaid, or in the approach to the harbour.

Removal of existing works

18. The trustees may, from time to time, on the completion of the aforesaid extension of the northern wharf, and such portions of the breakwater and outer arm adjoining the said breakwater as are marked on the plan C to D and E to F, remove such portions of the present works as they deem necessary for the convenience and improvement of the inner harbour, and use or dispose of the materials thereof.

Blasting, dredging, &c

19. The trustees may blast, cut, dig, dredge, scour, cleanse, and remove the rocks, sand, clay, mud, and other substances within the limits of the piers and harbour vested in them by this Order, and to be constructed by them under the powers thereof, and of the approaches thereto.

Trustees may levy dues

20. With respect to dues the following provisions shall have effect:—

(1.) From the commencement of the operation of this Order unfil the completion of such portions of the breakwater and extension aforesaid as are marked on the plan from C to D, and from E to F, and from G to H, the trustees may demand, receive, and recover for the use of the existing works, and all additional works constructed within the limits of the present piers or harbour, on all vessels, fish, goods, animals, merchandise, and things resorting to and landing at, or loaded or unloaded at or using the same, one moiety or half part of the dues specified in Schedules B. and C. to this Order, and the full dues specified in Schedule D. to this Order.

(2.) If, however, the contract for the execution of those works is not entered into within three years after the commencement of the operation of this Order, the Board of Trade may reduce the amount of the said dues (except the dues specified in section 1. of Part I. and section 8. of Part II. of the said Schedule B.) in such proportion as they think fit, such reduction to continue until the trustees have entered into such contract, such dues, nevertheless, not to be so reduced as to give a less amount in the whole than would be obtained from the dues now taken under the said Local Act.

(3.) After the completion of such portions of the breakwater and extension aforesaid as are marked on the plan from C to D, and E to F, and from G to H, (of which notice shall be given by the trustees in the London Gazette,) the trustees may demand, receive, and recover, in respect of all vessels, goods, animals, merchandise, and things resorting to and landing at, or loaded or unloaded at, or using the present piers or harbour, or the wharves, quays, piers, or other works authorized to be constructed by this Order within or beyond the limits of the present pier or harbour, the full rates, dues, and duties specified in Schedules B, C, D, and E to this Order.

(4.) In

(4.) In order that the trustees may levy the full dues specified in Schedules B, C, D, and E to this Order, it shall not be necessary for the trustees to commence any other works than the breakwater and outer arm adjoining, and the extension of the northern wharf aforesaid.

Certain fishing vessels under stress of weather exempt from dues.

21. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port-charges such vessels, when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the harbour and works authorized by this Order, or of any part of the harbour and works for the time being vested in the trustees, and not breaking bulk while making use thereof, be exempt from dues leviable under this Order.

Limits of harbour master's authority.

22. The limits within which the authority of the trustees and of their harbour master may be exercised for the levying of dues authorized by this Order shall be the old pier and the new piers and harbour, and the works and lands vested in the trustees adjoining and near to the old pier and new piers and harbour; and the limits within which the authority of the trustees and of the harbour master may be exercised for the regulation of the harbour and of the anchorage of vessels lying off the harbour, and for preventing vessels from in any way obstructing the shooting of seans or injuring them when in the water, shall extend to and include the harbour and Mevagissey Bay from high-water mark to within a straight line drawn from low-water mark at Chapel Point to low-water mark at Penare Point as laid down on the Admiralty chart.

Application of dues, &c.

23. The dues received under this Order, and all sums of money in the nature of revenue or income vested in the trustees by this Order, shall be applied by the trustees in the manner and order following, and not otherwise:—

(1.) In payment to the person or persons the possessor or possessors of Nanswhydden and manors of Mevagissey in the county of Cornwall of the yearly rentcharge of ten pounds which is now payable to him or them under the said Local Act, such rentcharge to be paid by two equal half-yearly payments on the twenty-fourth day of June and the twenty-fifth day of December in every year:

(2.) In advancing and paying on account of capital the expenses of applying for and obtaining this order, and preparatory or incident thereto:

(3.) In paying the expenses of the maintenance, management, and regulation of the existing piers and the new works authorized by this order, and incident thereto:

(4.) In paying the interest of the money borrowed and for the time being owing under the authority of the said Local Act:

(5.) In paying the interest of money borrowed under the authority and for the purposes of this Order, and providing the sinking fund required by this Order:

(6.) In or towards execution of the works by this Order authorized, and in further improving the existing harbour and works for the time being:

(7.) Any surplus of the revenue of the trustees shall be applied in paying off the principal sum then owing on the credit of the said undertaking.

Power to borrow.

24. The trustees may borrow at interest on the credit of the whole dues leviable by them, and of the property for the time being vested in them, any sum or sums of money not exceeding in the whole the sum of twenty-one thousand five hundred pounds.

Re-borrowing.

25. The trustees may from time to time re-borrow any money borrowed under this Order and discharged otherwise than by means of the sinking fund.

Existing mortgages.

26. Nothing in this Order shall affect any mortgage granted by the trustees before the commencement of the operation of this Order, and then subsisting; and every such mortgage, while subsisting, shall have priority over any mortgage granted under this Order:

Power to borrow to pay off money owing under Local Act.

27. For the purpose of enabling the trustees to pay off the principal sums, amounting to two thousand eight hundred and ten pounds, now owing under the said Local Act, and of getting rid of the priority attached thereto, they may re-borrow the said sum of two thousand eight hundred and ten pounds in such sums, and at such times, and on such terms as they think fit, and may secure the same, with interest, by mortgages of the dues leviable by and property vested in them under this Order, and such mortgages shall rank pari passu with the mortgages to be granted for securing the said sum of twenty-one thousand five hundred pounds or any part thereof, and any sums of money raised by the trustees under this power shall be applied only in paying off principal moneys owing under the said Local Act, and such principal moneys may be paid off by the trustees in such order, proportions, and manner as the trustees think fit.

Receiver.

28. The mortgagees of the trustees may enforce the payment of arrears of interest, or arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver, and the amount to authorize a requisition for a receiver shall be one thousand pounds.

Trustees to apply money.

29. The trustees shall apply the said twenty-one thousand and five hundred pounds, and all money borrowed on account thereof under this Order, and all principal sums arising from the sale of superfluous lands transferred to them by this Order, in the manner and order following, and not otherwise:

(1.) In paying the expenses of and incident to the applying for and making of this Order, or in repaying to the revenue account of the trustees the sum of money advanced for this purpose:

(2.) In purchasing lands for and constructing the several works by this Order authorized and incident thereto:

(3.) In and towards executing any additional or other works which the trustees may think expedient for carrying into effect the objects of this Order.

Reduction of dues.

30. After the completion of all the works authorized by this Order, and after payment of all principal sums of money owing by the trustees under the said Local Act, and of all principal sums borrowed for the purposes of this Order, only such rates, dues, and duties shall be levied by the trustees as shall be authorized by the Board of Trade, and be sufficient for the punctual payment of the aforesaid annual rentcharge of ten pounds, the maintenance of the works, the providing all necessary materials for carrying on the business of the port

port within the limits of the works vested in the trustees, and for the management of the pier and harbour, and incident thereto.

31. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, namely, 16, 17, 18, 19, 25, and 26, shall not be incorporated with this Order. Parts of Harbours Clauses Act not incorporated.

32. The trustees may lay down such tramways, and provide such waggons, carts, barrows, steam engines, steam and other vessels, steam and other dredges, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery as they think necessary for the purposes of the port and harbour, and may demand and receive for the use of the same such sums as they think reasonable. Steam vessels, lighters, &c.

33. The trustees shall have the appointment of meters and weighers within the limits of the harbour and pier and the works and lands vested in them adjoining or near to the harbour and pier. Meters and weighers.

34. Any byelaws made under this Order, and The Harbours, Docks, and Piers Clauses Act, 1847, (for the purposes of which Act this Order shall be deemed the Special Act,) shall not come into operation until allowed and confirmed by the Board of Trade, which allowance shall be sufficient as confirmation for all purposes. Byelaws.

35. The trustees shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres. Lands for extraordinary purposes.

36. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, through, and from the pier and harbour and works for the time being vested in the trustees by land, and with their vessels and otherwise, without payment. Custom-house officers exempt from tolls.

37. This Order may be cited as The Mevagissey Harbour Order, 1865. Short title.

SCHEDULE A. to which the foregoing Order refers.

15 Geo. 3. c. 62. - -	An Act for completing and maintaining the Pier at the Town of Mevagissey in the County of Cornwall.

SCHEDULE

SCHEDULE B. to which the foregoing Order refers.

PART I.

DUES FOR BOATS AND VESSELS ENTERING OR USING THE HARBOUR OR PIERS OR WORKS VESTED IN THE TRUSTEES AT ANY TIME DURING THE YEAR.

1. For every open boat and fishing boat or fishing vessel, wholly or partially decked, and yacht, belonging to the port (with the exception of sean boats, followers and lurkers), a yearly sum (to be considered as due on the thirty-first day of December in each year) according to length as per the following scale:

							s.	d.
Not exceeding 15 feet in length							3	0
Exceeding 15 feet, and not exceeding 16 feet in length							3	6
"	16	"	17	"			4	0
"	17	"	18	"			4	6
"	18	"	19	"			5	0
"	19	"	20	"			5	6
"	20	"	21	"			6	0
"	21	"	22	"			6	6
"	22	"	23	"			7	0
"	23	"	24	"			7	6
"	24	"	25	"			8	0
"	25	"	26	"			8	6
"	26	"	27	"			9	0
"	27	"	28	"			9	6
"	28	"	29	"			10	0
"	29	"	30	"			10	6
"	30	"	31	"			11	0
"	31	"	32	"			11	6
"	32	"	33	"			12	0
"	33	"	34	"			12	6
"	34	"	35	"			13	0
"	35	"	36	"			13	6
"	36	"	37	"			14	0
"	37	"	38	"			14	6
"	38	"	39	"			15	0
"	39	"	40	"			15	6
"	40	in length					16	0
For every gig rowing four or more oars, and belonging to the port, at per foot							0	4

The measurement of all open boats, fishing boats, or fishing vessels, wholly or partially decked, yachts and gigs, to be taken over all from the fore part of the stem to the after part of the stern post.

2. For every open boat and fishing boat or fishing vessel, wholly or partially decked, or yacht not exceeding twenty feet in length, belonging to the port (excepting sean boats, followers and lurkers), carrying any description of drift, moored trawl or other net or nets (with the exception of any such boat or vessel carrying a net not exceeding thirty fathoms in length, and four fathoms in depth, or a trammel net, and carrying only one such net), a yearly sum to be considered as due on the thirty-first day

	s.	d.
day of December in each year, at the rate of double the rates respectively chargeable by the foregoing scale as aforesaid, exceeding twenty feet in length at the rate of four times the rates respectively chargeable by the foregoing scale as aforesaid.		
3. For every open boat and fishing boat or fishing vessel, wholly or partially decked, or yacht belonging to the port, carrying a trammel net, or any other net not exceeding thirty fathoms in length and four fathoms in depth, and carrying only one of each of such nets (in addition to the rates respectively chargeable by the foregoing scale), a yearly sum to be considered as due on the thirty-first day of December in each year, at the rates following:—		
For a trammel net - - - - - -	2	0
For any other net not exceeding fifty fathoms in length and four fathoms in depth - - - - -	1	0
A boat or vessel carrying one of each of such nets to pay both the last-mentioned yearly sums.		

Large Seans.

4. For every large pilchard sean belonging to the port (to consist of not more than one sean boat, one follower and one lurker, carrying any description of sean or seans), the yearly sum (to be considered as due on the thirty-first day of December in each year) of - - - - - - -	63	0
5. For every person employed or acting as a seaner on board such large sean boat, follower and lurker, or other boat belonging to such sean, the yearly sum (to be considered as due on the thirty-first day of December in each year) of - - -	2	6
Which yearly sum of two shillings and sixpence the master seaner, or agent, or owner of every such sean and boats, is hereby authorized to deduct and retain out of the first wages or share of every such person, and for the payment of which the owner or owners of such sean and boats are hereby made responsible.		

Small Seans.

6. For every small pilchard sean belonging to the port (to consist of not more than one sean boat, one follower and one lurker, carrying any description of pilchard, mackerel, herring, or ground sean or seans), the yearly sum (to be considered as due on the thirty-first day of December in each year) of - -	32	6
7. For every small sean belonging to the port (to consist of not more than one sean boat and one follower, carrying mackerel, herring, or ground seans only), the yearly sum (to be considered as due on the thirty-first day of December in each year) of -	16	0
8. Every additional boat belonging to such large or small seans to be paid for according to the length at the rate first before mentioned.		
The trustees may, from time to time, if and when they think expedient, levy, receive, and recover all or any or either of the before-mentioned yearly sums by four equal quarterly payments on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, and the thirty-first day of December in each year, notwithstanding that the same are herein-before expressed to be considered as due on the thirty-first day of December in each year.		

	s.	d.
9. For every open boat not belonging to the port, for each day of twenty-four hours, or part thereof - - - -	1	0
For every additional successive day of twenty-four hours, or any part thereof - - - - - - -	0	2
10. For every fishing boat or fishing vessel or yacht, wholly or partially decked, not belonging to the port, for each day of twenty-four hours, or any part thereof - - -	2	0
For every additional successive day of twenty-four hours, or any part thereof - - - - - - -	0	4

11. For every open boat and fishing boat or fishing vessel, wholly or partially decked, yacht and sean, not belonging to the port, if compounded for, the following proportions (payable in advance) of the rates respectively chargeable for one year for similar boats, vessels, or seans belonging to the port, namely :—

For not exceeding twelve months, one half:

For not exceeding six months, one third:

For not exceeding three months, one quarter:

And every such composition shall date from one of the usual quarter days.

Every open boat and fishing vessel of any description belonging to the port shall have her name and number painted in her stern in letters not less than two inches in length, and her number shall be regulated by the harbour master in case she has no number appointed by Her Majesty's Customs.

PART II.

Dues on other Vessels entering or using the Pier or Harbour or Works vested in the Trustees.

Tonnage Rates.

Outward Charges.

1. For every vessel clearing for any port or place, per register ton -	0	4

Inward Charges.

2. For every vessel with a cargo from any port or place, per register ton - - - - - - - - -	0	4
3. For every vessel entering the harbour for the sole and exclusive purpose of delivering or unloading ballast, per register ton -	0	2
4. For every vessel light or in ballast, entering the harbour for shelter or windbound, per register ton - - - -	0	2
5. For every vessel in cargo entering the harbour for shelter or windbound, per register ton - - - - -	0	3
6. For every lighter or vessel landing or shipping goods or ballast from or to any vessel not entering the harbour, for each trip, per register ton - - - - - - - -	0	2
7 For every boat entirely open landing or taking on board goods or ballast from or to any vessel in the bay not entering the harbour, for each trip - - - - - - - -	0	6
8. For every vessel which shall remain in the pier or harbour, or lie alongside or use any wharf, jetty, breakwater, or landing-place vested in the trustees, for any longer time than twenty-one days, the additional rate for each week or part of a week, per register ton of - - - - - - - -	0	1

PART

PART III.

Ballast Dues.

	s.	d.
For every ton of ballast discharged, landed, shipped, or transhipped -	0	6

Every vessel discharging her ballast for the purpose of being overhauled or repaired, provided a notice in writing to that effect be first given to the harbour master, only to pay on discharging, and not on taking in the same quantity.

Schedule C. to which the foregoing Order refers.

	s.	d.
Abbathaw lime, burnt, per cwt.	0	1
„ ground, per cwt.	0	2
Acid water, acid vegetable or mineral, per pipe	1	0
„ „ per hogshead	0	10
„ „ per barrel	0	8
„ „ per kilderkin	0	6
„ „ per firkin	0	4
„ „ per jar	0	2
„ „ per cwt.	0	4
„ in quart bottles, per dozen	0	2
„ in pint bottles, per dozen	0	1
Acorns, per ton	1	8
Agates, per package	1	6
Alabaster, rough, per ton	1	8
„ worked, per cwt.	1	0
Ale, beer, porter, cider, or perry, per butt or pipe	1	6
„ „ „ per hogshead	0	9
„ „ „ per barrel	0	4
„ „ „ per kilderkin	0	3
„ „ „ per firkin	0	2
„ „ „ per jar	0	1
„ in quart bottles, per dozen	0	2
„ in pint bottles, per dozen	0	1
Alkali, per ton	3	4
Alkanet root, per cwt.	0	4
Almonds, per ton	3	4
„ in boxes or barrels, per cwt.	0	6
Aloes, per cwt.	0	6
Alum, per cwt.	0	4
Aluminium, per cwt.	0	4
Alva Marina, or sea grass, per ton	3	4
Amber and beads, per cwt.	2	0
„ rough, per cwt.	0	4
Ambergris, per cwt.	2	0
Anacardium, or the cashew nut, per cwt.	0	4
Anchors, per cwt.	0	4
Anchor stock, per foot run	0	2
Anchovies, per cwt.	0	6
Angelica, per cwt.	0	4

Pier and Harbour Orders Confirmation (No. 3.)

	s.	d.
Animals:		
Asses, each	1	0
Boars, each	1	0
Bulls, each	2	0
Calves, each	0	6
Cows, each	1	0
Deer, each	2	0
Dogs, each	0	6
Foxes, each	0	6
Goats, each	0	6
Hares, per dozen	0	6
Horses, each	2	0
„ under 12 hands high, each	1	0
Lambs, each	0	2
Mules, each	1	6
Oxen, each	1	6
Pigs, each	0	6
Rabbits, per dozen	0	4
Sheep, each	0	4
Wild, large, each	10	0
„ small, each	5	0
Stuffed, half the rate of when living.		
Annatto, per cwt.	0	8
Aniseed, per cwt.	0	4
Antimony, per cwt.	0	4
Antimony ore, per ton	3	4
Anvils, per cwt.	0	2
Apples, per cwt.	0	2
Argol, per cwt.	0	4
Arrowroot, per cwt.	0	4
Arsenick, per cwt.	0	4
Arac. (*See* Spirits.)		
Asafœtida, per cwt.	0	6
Asbestos, per cwt.	0	4
Ashes:		
Barilla, per cwt.	0	2
Black, per cwt.	0	2
Bleaching, per cwt.	0	4
Common Irish, per cwt.	0	2
Pearl and Pot, per cwt.	0	4
Soda, per cwt.	0	2
Asphaltum, per cwt.	0	2
Bacon, pork, or hams, per cwt.	0	4
Bagging and bags, per cwt.	0	4
Bales, boxes, cases, casks, trusses, or other packages of cotton, linen, or woollen goods, per cwt.	0	4
Balsam, per cwt.	1	0
Bamboos. (*See* Canes, Ground Rattans.)		
Bananas, per cwt.	0	6
Barilla, per ton	3	4
Bark:		
Not specified, per ton	3	4
Tanner's, per ton	3	4
Medicinal, per cwt.	1	0
Barrels or casks, empty, per pipe	0	2
„ „ per hogshead	0	1½
„ „ per barrel	0	1
„ „ per kilderkin	0	0½
„ „ per firkin	0	0½

Pier and Harbour Orders Confirmation (No. 3.)

	s	d
Baskets, empty:		
Maunds, or hampers, per dozen	0	4
Ballast baskets, per dozen	0	2
Fish baskets, or pads, per dozen	0	2
Large market baskets, per dozen	0	2
Small market baskets, per dozen	0	1
Basket rods, per 1,000	0	4
Bass rope, per cwt.	0	3
Beads. (*See* Bugles.)		
Beans. (*See* Grain.)		
Bedsteads:		
Wood, each	0	6
Iron, each	0	4
Bedposts:		
Wood, per set	0	4
Iron, per set	0	2
Beef, salted or fresh, per cwt.	0	4
Beehives, straw, per dozen	0	6
Beer. (*See* Ale.)		
Beer, spruce, per gallon	0	0½
Bees' wax, per cwt.	0	3
Betel nuts, per ton	3	4
Bellows:		
Common, per dozen	0	6
Smiths', small, each	0	6
Ditto, large, each	1	0
Bell metal, per cwt.	0	4
Benjamin. (*See* Gum.)		
Bergamot. (*See* Essences.)		
Berries:		
Not specified, per cwt.	0	2
Bay, per cwt.	0	4
Juniper, per cwt.	0	4
Yellow, per cwt.	0	4
Billiard Tables, each	5	0
Birds:		
Ducks, per dozen	0	6
Fowls, per dozen	0	4
Geese, per dozen	0	8
Grouse, per dozen	0	6
Guinea fowls, per dozen	1	0
Partridges, per dozen	0	6
Pheasants, per dozen	1	0
Pigeons, per dozen	0	4
Quails, per dozen	0	6
Turkeys, each	0	2
Small, not specified, per dozen	0	2
Large, not specified, each	0	6
Biscuit, per cwt.	0	2
Blacking, per cwt.	0	2
Black Jack, per ton	0	6
Black Lead. (*See* Lead.)		
Blocks:		
Heel, per gross	0	4
Last, per dozen	0	2
Ship, per dozen	0	2
Blubber, per cwt.	0	2
Blue, per cwt.	0	4

	s.	d.
Bobbins, per cwt.	0	4
Bones and bone-dust, per ton	1	0
Books, per cwt.	1	0
Boots and shoes, per cwt.	1	0
Boracic acid, per cwt.	0	4
Borax, per cwt.	0	4
Bottles, empty, glass or stone, quarts, per gross	2	0
Ditto ditto pints, per gross	1	0
„ in crates or other packages, per cube foot	0	1
Bowls, wood, per dozen	0	4
Boxes and cases, empty, small, each	0	1
„ „ large, each	0	2
Boxes and cases of goods not specified, per cubic foot	0	1
Boxes for wheels, per cwt.	0	4
Bran. (*See* Grain.)		
Brandy. (*See* Spirits.)		
Brass (new), per cwt.	0	4
„ (old), per cwt.	0	2
Bread	0	2
Bricks:		
Common, per 1,000	1	8
Bath and fire, per 1,000	2	6
Slabjacks, per dozen	0	3
Brimstone, per cwt.	0	3
Bristles, per cwt.	1	0
Bronze, per cwt.	0	4
Brooms:		
Birch, per gross	0	4
Hair, cayhair, whalebone, or whisk, per dozen	0	4
Broom and brush handles, per gross	0	6
Brushes, hair, rush, or whalebone, per dozen	0	4
Brush heads and stocks, per dozen	0	2
Bugles and beads, per cwt.	1	0
Bullion in packages, per cube foot	0	2
Bulrushes, per ton	1	8
Buoys, per cwt.	0	4
Butter, per cwt.	0	4
Cables:		
Hempen or coil, per cwt.	0	3
Iron, per ton	3	4
Cabooses, per cwt.	0	4
Calamine, per cwt.	0	2
Calaminaris lapis, per cwt.	0	2
Calves velves, per cwt.	0	4
Camel's hair, per cwt.	0	6
Camphor, per cwt.	1	0
Candles:		
Tallow, per cwt.	0	3
Wax, per cwt.	1	0
Not specified, per cwt.	0	4
Cane juice. (*See* Molasses.)		
Canella alba, per cwt.	0	6
Canes:		
Common rattan, per 100	0	2
Ground rattan or walking sticks, per 100	0	4
Cannon. (*See* Guns.)		
Cantharides, per cwt.	1	0
Canvas, per cwt.	0	4

Pier and Harbour Orders Confirmation (No. 3.)

	s.	d.
Caoutchouc. (*See* India Rubber.)		
Capers, per cwt.	0	6
Capillaire, per gallon	0	1
Carboys:		
Full, per cwt.	0	4
Empty, each	0	2
Cards, wool, per dozen	0	1
Cardamoms, per cwt.	0	8
Carpets or carpeting, per cwt.	0	4
Carraway seeds, per cwt.	0	3
Carriages:		
2 wheels, each	5	0
4 wheels, each	6	0
4 wheels, close, each	8	0
4 wheels, coaches, each	10	0
Railway, each	20	0
Perambulators, each	0	6
For guns, each	5	0
Wheels, large, per pair	1	0
Wheels, small, per pair	0	8
Carrots, per ton	0	10
Carts, trucks, or waggons:		
2 wheels, each	2	0
4 wheels, each	4	0
Wheels, large, per pair	1	0
Wheels, small, per pair	0	8
Hand, each	1	0
Cases. (*See* Boxes.)		
Casks. (*See* Barrels.)		
Cassia, per cwt.	0	6
Caster beans, per cwt.	0	4
Catechu, per cwt.	0	4
Caviare, per cwt.	0	4
Cement, per cwt.	0	2
Chaffcutters. (*See* Implements.)		
Chain (not specified), per cwt.	0	2
Chairs:		
Mahogany, rosewood, &c., per dozen	2	0
Cane, garden, or camp stool, per dozen	1	0
Chalk:		
Common, per ton	1	8
French, per ton	3	4
Charcoal, per ton	3	4
Chassum, per cwt.	0	4
Cheese, per cwt.	0	4
Cherries, per cwt.	0	4
Chesnuts, per cwt.	0	2
Chimney pots:		
Earthenware, per dozen	1	0
Metal, per dozen	1	0
Chicory, per cwt.	0	4
Chillies, per cwt.	0	6
China root, per cwt.	0	6
„ ware, per cwt.	0	4
„ clay, per ton	0	6
Chiranga root, per cwt.	1	0
Chiraytta, per cwt.	0	8
Chirt stones, per ton	1	0
Chocolate, per cwt.	0	6

Pier and Harbour Orders Confirmation (No. 3.)

	s.	d.
Cider. (*See* Ale.)		
Cigars, per cwt	2	0
Cinders, per ton	0	10
Cinnabar, per cwt.	1	0
Cinnamon, per cwt.	1	0
Citron:		
In salt, per cwt.	0	4
Preserved, per cwt.	0	6
Clay:		
Common, per ton	0	6
Potters', per ton	0	6
Clocks, per dozen	2	0
„ 8-day, in case, each	0	6
Cloth, woollen, linen, or cotton, per cwt.	0	4
Clogg soles, per cwt.	0	2
Clogs, per cwt.	0	2
Cloves, per cwt.	1	0
Coals, per ton	0	10
Cod roe, per cwt.	0	4
Cobalt, per cwt.	0	1
Cochineal, per cwt.	0	6
Coculus Indicus, per cwt.	0	6
Cocoa, per cwt.	0	4
Cocoa nuts, per hundred	1	0
Cocque de Perle, per cwt.	0	4
Coffee:		
Raw, per cwt.	0	3
Roast, per cwt.	0	4
Coir, per cwt.	0	3
Coke, per ton	0	10
Coliquintida, per cwt.	0	8
Colouring for porter, per gallon	0	0½
Columba root, per cwt.	0	4
Colours:		
Painters', mixed, per cwt.	0	2
„ dry, per cwt.	0	4
Copper, per cwt.	0	4
Furnaces and stills, per cwt.	0	4
Copperas, per cwt.	0	4
Coquilla nuts, per cwt.	0	4
Coral, per cwt.	2	6
Cordage, per cwt.	0	3
Cordials, per gallon	0	1
Bottles, per dozen	0	2
Cork, per cwt.	0	3
Corks, bottle, per 10 gross	0	3
Coriander seed, per cwt.	0	3
Corn. (*See* Grain.)		
Cornelians. (*See* Grain.)		
Cotton:		
Raw, per cwt.	0	3
Manufactured, per cwt.	0	4
Cowhage, per cwt.	0	6
Cowries, per cwt.	0	3
Cradles, each	0	2
Cranberries, per pipe or puncheon	2	0
„ per hogshead	1	0
„ per barrel or anker	3	8
„ per keg or half anker	0	6
Cream of tartar, per cwt.	0	4

Pier and Harbour Orders Confirmation (No. 3.)

	s.	d.
Crease, earthenware, per dozen	0	1
Crystal, rough, per ton	5	0
„ beads, per cwt.	1	0
Cubebs, per cwt.	0	6
Culm, per ton	0	10
Cummin seed, per cwt.	0	4
Currants, per cwt.	0	4
Dates, per cwt.	0	6
Deals. (*See* Wood.)		
Diamonds and precious stones, per package	5	0
Divi Divi, per ton	3	4
Dissolved bones, per ton	1	0
Dogs. (*See* Animals.)		
Down, eider, per cwt.	1	0
Dragon's blood, per cwt.	0	6
Drapery, in bales, per cwt.	0	4
Dripstones, per cwt.	0	2
Drugs (not specified) per cwt.	0	6
„ in casks, hampers, or boxes, per cubic foot	0	2
Dyes, per cwt.	1	0
Dung. (*See* Manure.)		
Earth:		
Common, per ton	0	6
Black, per ton	1	0
Brown, per ton	1	0
Red, per ton	1	0
Yellow, per ton	1	0
Earthenware, coarse, loose, per potters' dozen	0	4
In crates, barrels, or boxes, per foot	0	0¼
Eau-de-Cologne, per case	2	0
„ per half case	1	0
Eggs, per 100	0	4
Emery, per cwt.	0	2
Stones, per cwt.	0	2
Empty bags and sacks (not returned), per cwt.	0	4
Engines, per ton	5	0
Epsom salts, per cwt.	0	4
Essences, per cwt.	2	0
Essential oils, per cwt.	1	0
Euphorbium, per cwt.	0	6
Extract of oak bark, per cwt.	0	4
„ medicinal, per cwt.	1	0
Fans, in boxes or cases, per cubic foot	0	2
Feathers, bed, per cwt.	0	6
„ ostrich, in packages, per cubic foot	0	2
Felt, per cwt.	0	3
Figs, per cwt.	0	4
Filtering stones, per cwt.	0	2
Fire-arms, per cwt.	0	4
Fish, fresh:		
Mackerel, per 100	0	1
Herrings, per 1,000	0	5
Pilchards, per 1,000	0	4
Not specified, per cwt.	0	2
To be cured in the town	free.	
Refuse or caff, per ton	0	6

Fresh fish taken and landed by boats or vessels which either pay the annual rates mentioned in Schedule A, Part I., or compound for the use of the harbour, are exempt from fresh fish dues.

	s.	d.
Fish, cured:		
Pilchards, per hogshead	1	0
„ per half hogshead	0	6
„ small barrels in proportion.		
Other fish, per cwt.	0	2
From other ports, and brought to Mevagissey for exportation, one half.		
Fishing lines, per cwt.	0	4
„ hooks, per cwt.	0	6
Flock, per cwt.	0	2
Flax:		
Rough, per ton	3	4
Hanks, per dozen	0	1
Floor cloth, per cwt.	0	4
Flour. (*See* Grain)		
Flower roots, plants or trees, in packages, per cubic foot	0	1
Frankincense, per cwt.	0	6
Fruit:		
Green (not specified), per cwt.	0	2
Dried, per cwt	0	4
Preserved, per cwt.	0	6
Fuel, patent, per cwt.	0	2
Fuller's earth, per ton	1	0
Furniture (not specified), per cubic foot	0	1
Furs, per cwt.	0	8
Galangal, per cwt.	0	6
Galbanum, per cwt.	0	6
Galls, per cwt.	0	4
Gamboge, per cwt.	0	6
Gates, iron or wood, each	0	2
Gelatine, per cwt	0	4
Geneva. (*See* Spirits.)		
Gentian root, per cwt.	0	4
Gin. (*See* Spirits.)		
Ginger, per cwt.	0	4
Gingerbread, per cwt.	0	4
Ginseng, per cwt.	0	4
Glass, in packages, per cubic foot	0	1
Glauber salts, per cwt.	0	4
Glue, per cwt.	0	2
Grain:		
Wheat, per quarter	0	2
Barley, per quarter	0	1½
Oats, per quarter	0	1
Rye, per quarter	0	1
Malt, per quarter	0	3
Beans and peas, per quarter	0	2
Indian corn, per quarter	0	1
Ditto meal, per cwt.	0	1
Barley meal, per cwt.	0	1
Oatmeal, per cwt.	0	2
Flour, per cwt.	0	1
Bere and bigg, per cwt.	0	1
Bran, per cwt.	0	1
Goat's hair, per cwt.	0	4
Granilla, per cwt.	0	6
Grapes, per cwt.	0	4
Grass, foreign, per cwt.	0	4

Pier and Harbour Orders Confirmation (No. 3.)

	s.	d.
Grates and stoves, per cwt.	0	4
Gravel, not bought as ballast, per ton	0	2
Grease or greaves, per cwt.	0	2
Groats, per cwt.	0	2
Groceries (not specified) per cwt.	0	4
Guano, per ton	1	0
Guinea grains, per cwt.	0	6
Gums (not specified) per cwt.	0	6
Gunpowder, per cwt.	0	4
Guns, iron, per ton	3	4
Brass, per ton	6	8
Composition, per ton	6	8
Steel	6	8
Gutta percha, per cwt.	0	4
Haberdashery and hosiery:		
In bales, per cwt.	0	4
In boxes, per cubic foot	0	2
Hair, per cwt.	0	4
Hanks for sails, per gross	0	6
Hardware (not specified), per cwt.	0	3
Harrows, each	0	4
Hartall, per ton	5	0
Hats, in packages, per cubic foot	0	1
Hay or grass, per ton	1	0
Hay rakes:		
Hand, per dozen	0	2
Horse, each	1	0
Hemp, per ton	3	4
Hides:		
Wet, per ton	1	8
Dry, per ton	3	4
Fleshings, per cwt.	0	2
Roundings or glue pieces, per cwt.	0	2
Hilts:		
Pick, per gross	1	0
Shovels, per dozen	0	2
Hogsheads, empty. (*See* Barrels.)		
Pilchard, empty, each	0	1
Hones, per cwt.	0	4
Honey, per cwt.	0	6
Hoofs, per cwt.	0	2
Hoops:		
Iron, per cwt.	0	2
Wooden, per bundle	0	0½
For mast or white hoops, per dozen	0	2
Hops, per cwt.	0	4
Horns, tips, or plates, per cwt.	0	6
Horse shoes, per cwt.	0	2
Hurdles, wood or iron, per dozen	0	2
Ice, per ton	0	6
Implements of husbandry (not specified), per cwt.	0	2
India rubber, per cwt.	0	6
Indigo, per cwt.	1	0
Ink:		
Liquid, per gallon	0	1
Solid, per cwt.	0	6
China or Indian, per cwt.	1	0
Inkle, per cwt.	0	6

	s	d
Ipecacuanha, per cwt.	1	0
Iron:		
Pig, bar, bolt, and rod, per ton	1	8
Hoop, plate, sheet, and forged, per ton	3	4
Manufactured, wrought, or cast, per ton	3	4
Old or broken, per ton	0	10
Furnaces, per cwt	0	2
Galvanized, per cwt	0	2
Ironmongery (not specified), per cwt.	0	3
Isinglass, per cwt.	0	6
Ivory, per cwt.	1	0
Ivory black, per cwt.	0	2
Jack screws, per pair	0	6
Jalap, per cwt.	1	0
Juice or syrup (not specified), per cwt.	0	4
Juniper berries, per cwt	0	4
Junk or old rope, or old sail cloth, per cwt.	0	2
Jute, press-packed, per ton	3	4
Kelp, per ton	1	8
Kips, per cwt	0	4
Lac dye, gum, stick, seed, and shell, per cwt.	0	4
Lace, in packages, per cubic foot	0	2
Lacquered ware, per cwt.	0	4
Ladles, per gross	0	6
Lamp black, per cwt.	0	4
Lanterns, horn or glass, per dozen	0	2
Lard, per cwt.	0	4
Lavender flowers, per cwt.	0	8
„ water, per gallon	0	0½
Lead:		
Pig or sheet, per cwt.	0	2
Black, white, or red, per cwt.	0	2
Shot, per cwt.	0	3
Scrap, per cwt	0	1
Leather:		
Tanned, per cwt.	0	4
Wrought, per cwt.	1	0
Leeches, in packages, per cubic foot	0	2
Lemons, per chest	0	4
„ per box	0	2
Lemon, lime, and orange juice, per gallon	0	0½
„ peel, per cwt.	0	4
Lime, burnt, per ton	0	6
Limes, per cwt	0	6
Linen cloth, per cwt.	0	4
„ rags, per cwt	0	1
Linseed, per quarter	0	4
Lint cloth, per cwt	0	6
Liquorice or Succus liquoritæ, per cwt.	0	4
„ root, per cwt.	0	2
Locomotive engines, per ton	5	0
Loom or moulding sand, per ton	0	6
Maccaroni, per cwt	0	4
Mace, per cwt.	1	0
Machinery (not specified), per ton	5	0
Wood and iron mixed, per foot	0	1
Madder root, per cwt.	0	4
Manganese, per ton	0	6

	s.	d.
Mangles, each	1	0
Mangold wurtzell, per ton	0	10
Manna, per cwt.	0	6
Manure (not specified), per ton	0	6
Manufactured, per ton	1	0
Marbles, per cwt.	0	6
Mastic gum. (*See* Gum.)		
Matches, packages, per cubic foot	0	0½
Mats and matting, per dozen	0	1
Meat, per cwt.	0	4
Melons, per cwt.	0	4
Melting pots, per dozen	0	1
Millinery, in packages, per cubic foot	0	2
Millboards, per 120	0	6
Minerals. (*See* Ores.)		
Mineral waters. (*See* Acid water.)		
Mohair yarn, per cwt.	0	4
Molasses and treacle, per cwt.	0	2
Mops, per dozen	0	3
„ handles, per gross	0	6
Moss, rock or Iceland, per cwt.	0	3
Mother-o'-pearl:		
Shells, per cwt.	0	4
Ware, per cubic foot	0	2
Mundic, per ton	0	6
Munjeet, per cwt.	0	4
Muntz's patent, per cwt.	0	4
Muriate of lime, potash, and soda, each, per cwt.	0	2
Musical instruments, per cubic foot	0	2
Musk, per cwt.	1	0
Mustard, per cwt.	0	4
Myrrh, per cwt.	0	6
Myrabolams, per cwt.	0	3
Nails:		
Iron, per cwt.	0	2
Copper, per cwt.	0	4
Galvanized iron, per cwt.	0	3
Zinc, per cwt.	0	3
Nanari, per cwt.	0	6
Nankeen, in packages, per cubic foot	0	2
Natron, per ton	3	4
Net, per cwt.	0	4
Nests of trunks, per cubic foot	0	1
Nickel, per ton	5	0
Nitrate of soda, per ton	1	8
Nutmegs, per cwt.	0	6
Nuts:		
Not specified, per cwt.	0	2
Filbert and Barcelona, per cwt.	0	2
Walnuts, per cwt.	0	4
Almond, per cwt.	0	4
Nux vomica, per cwt.	0	4
Oakum, per cwt.	0	2
Oars, under 20 feet in length, per dozen	0	2
20 feet and under 30 feet, per dozen	0	4
30 feet and above, per dozen	0	4
Oatmeal. (*See* Grain.)		
Ochre, per cwt.	0	2

	s.	d.
Oil:		
Not specified, per cwt.	0	4
Castor, per cwt.	0	6
Chemical, per cwt.	1	0
Fish, per ton	2	0
Nut, per cwt.	0	4
Linseed, per cwt.	0	4
Palm, per cwt.	0	4
Olive, per cwt.	0	4
Rape, per cwt.	0	4
Dregs, per ton	1	0
In flasks, per chest	0	4
„ per half chest	0	2
Cake, per ton	1	0
Oil cloth or painted canvas, per cwt.	0	4
Old salt:		
Refuse of salt used in the town, per ton	0	5
Refuse of used salt from other ports, per ton	0	10
Olibanum. (*See* Gum.)		
Olives, per cwt.	0	6
Onions, per cwt.	0	2
Opium, per cwt.	0	6
Oranges, per chest	0	4
„ per box	0	2
Orange peel, per cwt.	0	4
Orchella weed, per cwt.	0	4
Ores:		
Not specified, per ton	0	6
Iron, per ton	0	4
Tin, per ton	0	6
Copper, per ton	0	6
Silver, per ton	1	0
Orpiment, per cwt.	0	3
Orrice root, per cwt.	0	3
Orsiddew, in packages, per cubic foot	0	2
Otto of roses. (*See* Essences.)		
Ovens, earthenware, each	0	2
Ox bows, per dozen	0	2
Oysters, per cwt.	0	1
Paints (not specified), per cwt.	0	4
Paintings, pictures, and picture frames:		
Pier glasses, per cubic foot	0	3
Pans, earthenware, per potter's dozen	0	4
Warming pans, per cwt.	0	4
Brass, per cwt.	0	4
Paper, stationers', per cwt.	0	4
Other descriptions, per cwt.	0	2
Papier-maché goods, packages, per cubic foot	0	2
Parcels, not passengers luggage, each	0	2
Pearl barley, per cwt.	0	2
Pears, per cwt.	0	3
Peas. (*See* Grain.)		
Peat, per ton	0	10
Pellitory root, per cwt.	0	6
Pepper, per cwt.	0	4
Perry. (*See* Ale.)		
Peruvian bark, per cwt.	1	0
Pessara, per cwt.	0	3

Pier and Harbour Orders Confirmation (No. 3.)

	s.	d.
Petroleum or rock oil, per cwt.	0	4
Pewter, per cwt.	0	2
Phials, per cubic foot	0	1
Pianofortes. (*See* Musical Instruments.)		
Pickles, per dozen bottles	0	2
Pill boxes, in packages, per cubic foot	0	1
Pimento, per cwt.	0	4
Pink root, per cwt.	0	3
Pins, per cwt.	0	4
Pipes:		
Tobacco, per cwt.	0	2
Earthenware for draining, per ton	0	10
Stoneware, per ton	1	8
Iron, per cwt.	0	2
Lead, tin, zinc, per cwt.	0	4
Pitch, per cwt.	0	2
Burgundy, per cwt.	0	4
Pipeclay, per cwt.	1	0
Pork. (*See* Bacon.)		
Plaster of Paris, per cwt.	0	2
Ploughs, each	1	0
Plums, per cwt.	0	3
Dried, per cwt.	0	4
Pomegranates, per cwt.	0	4
Peel, per cwt.	0	6
Porcelain, per cwt.	0	4
Porphery. (*See* Stone.)		
Porter. (*See* Ale.)		
Potash, per cwt.	0	2
Potatoes, per ton	1	8
Pots, flower, per potters' dozen	0	2
Butter, per potters' dozen	0	4
Poultry. (*See* Birds.)		
Preserves, per cwt.	0	6
Prunes, per cwt.	0	4
Pozzolano, per ton	3	4
Pumice stone, per cwt.	0	2
Pyrolignate of lead, per ton	3	4
Polishing paste, per cwt.	0	4
Quassia, per cwt.	0	3
Quern stones, each	0	6
Quicksilver, per bottle	0	3
Quills or quill pens, per 1,000	0	2
Miners, per cwt.	1	0
Quinces, per cwt.	0	3
Quinine, per cwt.	2	0
Rags, per cwt.	0	1
Raisins, per cwt.	0	4
Reed, per ton	0	6
Rhatania root, per cwt.	0	6
" extract, per cwt.	1	0
Rhubarb, per cwt.	0	6
Rice, per cwt.	0	2
Rinds, tanners', per ton	1	8
Rope, per cwt.	0	3
Old or junk, per cwt.	0	2
Wire, per cwt.	0	2
Rosin, per cwt.	0	2

	s.	d.
Rum. (*See* Spirits.)		
Rushes, per ton	0	6
Sac saturn, per cwt.	0	3
Sacks, empty, per cwt.	0	4
Safflower, per cwt.	0	3
Saffron, per cwt.	1	0
Sago, per cwt.	0	3
Sail-cloth, per cwt.	0	4
Sails, per cwt.	0	6
Sal ammoniac, per ton	3	4
Sal gem, rock salt, per ton	1	8
Salmon, per cwt.	0	3
Salt, per ton	1	8
Saltpetre and sal prunella, per cwt.	0	2
Sand, not brought as ballast, per ton	0	2
Sarsaparilla, per cwt.	1	0
Sash-weights, per cwt.	0	2
Sassafras, per cwt.	0	6
Scammony, per cwt.	1	0
Scoops:		
Boat, per dozen	0	2
Fish, per dozen	0	3
Malt, per dozen	0	4
Scuttles, coal, iron or tin plate, per dozen	0	3
„ copper, per dozen	0	4
Scythe blades, per dozen	0	2
„ stones, per cwt.	0	3
Scythes, per dozen	0	4
Seahorse teeth. (*See* Ivory.)		
Seaweed, per ton	0	3
Seeds:		
Clover and other agricultural, per cwt.	0	3
Flower, per cwt.	1	0
Linseed, rapeseed, &c., per quarter	0	4
Senna, per cwt.	0	4
Shingle, not brought as ballast, per ton	0	2
Shoddy, per ton	3	4
Shot:		
Lead, per cwt.	0	3
Iron, per ton	3	4
Steel and shell, per ton	5	0
Shrub. (*See* Spirits.)		
Shumac, per ton	3	4
Sickles, per dozen	0	2
Silk:		
Raw, per cwt.	1	0
Thrown, per cwt.	2	0
Waste, per cwt.	0	6
In packages manufactured, per cubic foot	0	2
Sieves, per dozen	0	3
Skins of wild animals:		
Large, per cwt.	0	3
Small, per cwt.	0	6
Slates:		
Writing, per gross	0	6
Pencils, per cwt.	0	4
Roofing, per ton	0	10
Flooring, per ton	0	10

	s.	d.
Smalts, per ton	3	4
Snuff, per cwt.	0	4
Soap, per cwt.	0	3
Soda, per cwt.	0	2
Soda water, per dozen bottles	0	2
Sofas, each	1	0
Solder and spelter, per cwt.	0	2
Spermaceti, per cwt.	0	4
Spetches, per ton	3	4
Spices (not specified), per cwt.	0	6
Spirits, British or foreign, per gallon	0	0½
„ in bottles, per dozen quarts	0	3
Ditto ditto pints	0	2
Sponge, per cwt.	1	0
Squills, per cwt.	0	3
Spokes for wheels, per dozen	0	2
Naves for wheels, per dozen	0	6
Stamp lifters, per dozen	0	6
Starch, per cwt.	0	4
Staves and heading for pilchard hogsheads, per 1,000	1	8
Steel, per cwt.	0	4
Pens, per cwt.	1	0
Stock fish, per cwt.	0	2
Stone:		
Building, per ton	0	2
Paving stones, per ton	0	2
Mill, per ton	1	0
Burr, per ton	1	0
Bath and Portland, rough, per ton	0	6
„ „ cut, per ton	0	9
Flagstone and granite, rough, per ton	0	4
„ „ cut, per ton	0	6
Grinding stones, per cwt.	0	1
Limestone, per ton	0	2
Marble:		
Rough, per ton	1	0
Cut, per ton	2	0
Porphery, Serpentine, &c.:		
Rough, per ton	1	0
Cut, per ton	2	0
Road stone, per ton	0	2
Freestone:		
Rough, per ton	0	2
Cut, per ton	0	6
Straw, per ton	0	6
Succades or sweetmeats, per cwt.	0	6
Sugar:		
Soft, per cwt.	0	2
Refined, per cwt.	0	4
Candy, per cwt.	0	6
of Lead, per cwt.	0	6
Sulphur, per cwt.	0	3
Sheepwasher's dirt, per ton	3	0
Talc, per cwt.	0	4
Tallow, per cwt.	0	2
Tamarinds, per cwt.	0	6
Tanners' poles, per cwt.	0	6
Tapioca, per cwt.	0	4

	s.	d.
Tar, per barrel	0	3
Tares, per ton	1	0
Tarras, per cwt.	0	2
Tea, per cwt.	0	6
Teazels, per cwt.	0	2
Terra Japonica, Sienna, and Verde, per cwt.	0	4
Tessera, per cwt.	0	2
Thimbles, per cwt.	0	6
Sail, per cwt.	0	4
Threshing machines, each	5	0
Thrumbs, per cwt.	0	4
Tiles:		
Roofing, per ton	1	8
Paving, per ton	0	10
Draining, per ton	0	10
Tin:		
Blocks, ingots, or barrel, per ton	4	0
Plate, per box	0	2
Tincal, per ton	4	0
Tobacco:		
Raw, per cwt.	0	4
Manufactured, per cwt.	0	6
Tongues, per cwt.	0	4
Tonquin Beans, per cwt.	1	0
Tortoiseshell, per cwt.	1	0
Tow, per cwt.	0	3
Toys, per cubic foot	0	1
Treacle or molasses, per cwt.	0	2
Trees for saddles, per dozen	0	3
Trenchers, per gross	0	4
Trundlesticks, per 1,000	0	6
Trunks, empty, per cubic foot	0	1
Turf, per ton	0	10
Turmeric, per cwt.	0	3
Turnips, per ton	0	10
Turpentine, per cwt.	0	4
Turtles, each	1	0
Twine, per cwt.	0	4
Types, per cwt.	0	6
Valonia, per ton	3	4
Vanellas. (*See* Succades.)		
Varnish, per cwt.	0	6
Vegetables, per cwt.	0	2
Venice turpentine, per cwt.	0	6
Verdigris, per cwt.	0	2
Vermicelli, per cwt.	0	4
Vermillion, per cwt.	1	0
Vinegar, per gallon	0	0½
Vitriol, per cwt.	0	4
Walnuts, per cwt.	0	4
Waste, braziers', button makers', furriers', soapers', tanners', vitriol, sugar bakers', per cwt.	0	2
Wax:		
Bees, per cwt.	0	3
Sealing, per cwt.	0	6
Weights:		
Iron, per cwt.	0	2
Brass, per cwt.	0	4

Pier and Harbour Orders Confirmation (No. 3.)

	s.	d.
Weld or wood, per cwt.	0	4
Whalebone, per cwt.	1	0
Fins, per cwt.	0	4
Wheelbarrows, each	0	4
Wheels, iron, per cwt.	0	4
Whetstones, per cwt.	0	3
Whips, per dozen	0	2
Whipsticks, per dozen	0	1
Whiskbrooms, per dozen	0	4
Whisky. (*See* Spirits.)		
Whiting, per cwt.	0	2
Wick yarn, pack, per cwt.	0	3
Winch or windlass, per cwt.	0	3
Winnowing machines, each	2	6
Wine:		
British or Foreign, per gallon	0	0½
In bottles, per dozen quarts	0	2
„ per dozen pints	0	1
Wire:		
Iron, per cwt.	0	2
Brass, per cwt.	0	4
Copper, per cwt.	0	4
Not specified, per cwt.	0	6
Wood:		
Dyers, &c., viz.: bar, box, Brazil, brazelletto, cam, cocus, ebony, fustic, lignum vitæ, logwood, Nicaragua, quassia, sandal, sanders, sapan, sassafras, per ton	3	4
Furniture, viz.: cedar, mahogany, rose, satin, &c., per ton	3	4
Deals, battens, ends, boards, per load of 50 cubic feet	1	6
Firewood, per fathom of 216 cubic feet	0	6
Gunstocks, per 120	1	6
Handspikes, not exceeding 7 feet long, per 120	2	0
„ exceeding 7 feet long, per 120	3	0
Knees, under 5 inches square, per 120	3	0
„ 5 and under 8 inches square, per 120	4	6
Lathwood, per fathom of 216 cubic feet	3	0
Laths, 4 ft. lengths, per 1,000	0	4
„ 3 ft. „ per 1,000	0	3
„ 2 ft. „ per 1,000	0	2
Spars, under 4 inches diameter, per dozen	0	4
„ 4 and under 6 inches diameter, per dozen	0	8
„ 6 and under 8 inches diameter, per dozen	1	0
„ 8 and under 12 inches diameter, each	0	3
„ 12 and above, as timber, 40 feet per load.		
Staves (not specified), per load, 250 cubic feet	1	6
Rickers, per 120	6	0
Staves, Baltic, pipe, per 120	2	3
„ hogshead, per 120	1	6
„ barrel, per 120	1	0
„ heading, per 120	0	9
„ thin, pipe, 1 to 1½ inch thick, per 120	1	0
„ pipe, board, 3 inches thick, per 120	3	0
Billet, oak or ash, above 3½ inches and not exceeding 4 feet long, per 120	2	6
„ exceeding 1½ to 3½ inches, per 120	1	6
„ under 1½ inches, per 120	1	0
Packs. (*See* Casks, empty.)		

	s.	d.
Wood:		
Staves, American, per Quebec standard of 120, of 5½ feet long by 1½ inch thick	1	6
Ditto, Quebec, puncheon, St. John's ash, and oak, hogshead, per 120	1	6
Timber and planks, viz.: Fir, square, per load of 50 feet	1	6
" round, per load of 40 feet	1	6
Ash, beech, birch, and elm, per load of 40 feet	1	6
Oak, teak, wainscot, and other hard wood, per load of 40 feet	2	0
Treenails, under 2 feet long, per 1,200	2	0
" 2 feet and upwards, per 1,200	4	0
Wool:		
Packs of British, per cwt.	0	3
Spanish and all others, per cwt.	0	6
Woollen manufactures, per cwt.	0	4
Yams, per cwt.	0	2
Yarn, per cwt.	0	2
Zaffers, per cwt.	0	4
Zedoary, per cwt.	0	4
Zinc, per ton	3	4
" sulphate of, per ton	3	4
All other goods not particularly enumerated:		
Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates to be charged.

All goods brought from other ports by sea for exportation (with the exception of fish), one third of the rates respectively leviable by the foregoing schedule.

In case of any goods being discharged from any vessel putting into the harbour in distress, and being obliged to discharge her cargo to repair damages, such goods shall only be liable, if landed and reshipped by the same owner on board the same or any other vessel, to one quarter of the rates respectively leviable by the foregoing schedule for landing only; and if transhipped without being landed, to one eighth of the rates respectively leviable by the foregoing schedule.

Schedule D. to which the foregoing Order refers.

Dues for the use of Cranes, Weighing Machines, &c.

Craneage.

All goods or packages raised or lowered, for every ton or part of a ton	0	4

Weighing Machines.

All goods or packages weighed, for every ton or part of a ton	0	2

Shed Dues.

	s.	d.
1 For every ton of goods of 40 cubic feet, or for every ton of goods of twenty cwt., which remains in the warehouses or sheds, or on the quays, or other works vested in the trustees, for a longer time than forty-eight hours - - - -	0	3
And per ton for each day, or part of a day, during which the goods remain after the first seventy-two hours - -	0	2
And so in proportion for any less quantity.		
2. For every portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day - -	0	2

Water on Pier.

1. Water, per ton - - - - - -	0	6
2. Fishing vessels and yachts belonging to the port, per annum -	1	0

Passengers Luggage.

For every 28 lbs. or part thereof exceeding 1 cwt. - -	0	1

Fish Buyers Carts.

For each time using the wharves or jetties - - -	0	2

SCHEDULE E. to which the foregoing Order refers.

DUES FOR THE USE OF GRAVING DOCK, PATENT SLIP, AND GRIDIRON.

Graving Dock and Patent Slip.

	s.	d.
For every vessel (light) for each day of twenty-four hours, per register ton - - - - - - -	0	3
For every vessel in ballast or cargo, for each day of twenty-four hours, per register ton - - - -	0	4

Every steam vessel having her engines on board to be considered as a vessel in cargo.

The day of docking and undocking both included.

The day to end at noon, and each fractional part of a day will be charged as one day.

N.B.—No vessel will be allowed to remain in the dock longer than seven days, or on the gridiron longer than one working tide, unless under special agreement.

These charges do not include the labour of docking and undocking.

Gridiron.

For every vessel using the gridiron, on one tide and off the next, per register ton - - - - - -	0	1

STORNOWAY.

Order for the Improvement and Regulation of the Harbour of Stornoway in the Island of the Lewis and County of Ross.

Incorporation of Commissioners

1. The present members of the Stornoway Pier and Harbour Commission, and their successors, to be appointed as in the Feu Charter set forth in the First Schedule to this Order (hereafter in this Order called the said Feu Charter) provided (subject nevertheless to the provisions of this Order), shall be and are hereby for the purposes of this Order incorporated by the name of The Stornoway Pier and Harbour Commission, and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of the said Feu Charter and of this Order.

Modifications of provisions of Charter.

2. Notwithstanding anything in the said Feu Charter, the following provisions shall have effect:—

(1.) The appointment of every Commissioner appointed by the Superior of the burgh of Stornoway, or by the Sheriff of the County, shall be made in writing, and until the writing of appointment is deposited with the clerk to the Commissioners the person thereby appointed shall not be entitled to act as a Commissioner.

(2.) The Commissioners from time to time appointed after the Commissioners nominated in the said Feu Charter go out of office shall respectively hold office from the first Tuesday in the month of May in the year of their appointment to the end of the day next preceding the first Tuesday in the month of May in the next following year.

(3.) At meetings of the Commissioners at which the permanent Commissioner is not present the Commissioners present shall elect a Chairman before proceeding to business, and every such Chairman shall have a second or casting vote in case of an equality of votes.

(4.) Any rules or regulations framed by the Commissioners (in pursuance of the first and tenth clauses of the said Feu Charter) for the general management of the piers, quays, harbour works, and harbour vested in them, shall be deemed to be byelaws within the meaning of this Order and of any Act incorporated therewith.

Incorporation of parts of 10 & 11 Vict c 16

3. The Commissioners Clauses Act, 1847, (except sections sixteen to thirty-five, both inclusive, and sections forty, forty-two, forty-three, forty-six, fifty-four, eighty-six, and eighty-seven,) are hereby incorporated with this Order, and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally.

Undertakers

4. The Commissioners shall be the undertakers of the Works authorized by this Order.

Limits of harbour

5. The limits of the harbour of Stornoway within which the Commissioners shall have authority (which shall be deemed the limits to which this Order, and the powers to exact rates in virtue thereof, extend,) shall extend to and include the bay of Stornoway to the north of an imaginary straight line drawn from Holm

Holm Point on the east side to Arnish Point on the west side of the bay of Stornoway, as laid down on the Admiralty chart of the said harbour by Commander Otter of the Royal Navy: Provided always as follows:—

(1.) The foreshore or shore and sea and bed of the bay on the east side thereof, whereon a patent slip has been erected by the said Sir James Matheson for the accommodation of shipping, and a portion of the foreshore or shore on each side of the said slip and of the sea and sea bed seawards thereof sufficient for the due and efficient working and use of the said slip, shall be excepted from and shall be held not to be included in the said harbour, and no vessels using the said slip shall in respect of such use be subject or liable to pay any rates under this Order.

(2.) The extension by this Order of the limits of the said harbour for rating purposes beyond the foreshores or shores which have been heretofore expressly conveyed to the Commissioners, or which may hereafter under this Order be acquired by them, shall in no respect give them authority or power, except with the consent of the said Sir James Matheson, or of the Superior of the burgh of Stornoway for the time, to appropriate the foreshores or shores of the bay of Stornoway heretofore not conveyed to them, or any part thereof, or confer upon them any rights to, over, or upon the same; neither shall the definition hereby of the limits within which this Order shall take effect in any respect derogate from any right possessed by the said Sir James Matheson or by his successors, as proprietors of the barony of the Lews, including the burgh of barony of Stornoway, and of the foreshores or shores of the bay of Stornoway, from appropriating and using the same in such a manner as by law was competent for him to do before this Order was made.

Power to take lands by agreement

6 For the purposes of the works authorized by this Order, the Commissioners may from time to time, by agreement, enter on, take, and use all or any part of the lands shown upon the deposited plans as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Acts

7 The Lands Clauses Consolidation (Scotland) Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchasing and taking of lands otherwise than by agreement, are hereby incorporated with this Order, but nothing in this Order shall authorize the Commissioners to take lands for the purposes of this Order exceeding in extent in the whole five acres.

Power to execute works

8 Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits shown on the deposited plans and sections, execute and maintain the works shown on the deposited plans.

Description of works.

9. The works authorized by this Order comprise the following:—

(1.) A timber wharf, of one hundred and fifty feet or thereabouts in length, in front of the present steamboat quay near the Old Castle, and a quay wall of masonry, extending northwards from the said timber wharf for a distance of three hundred and fifty feet or thereabouts, and joining the quay called the Big Quay at a point seventy feet or thereabouts seaward of high-water mark;

(2.) The

(2.) The filling up and making available for curing ground or other purposes of the space between the said quay wall and high-water mark; and

(3.) All such other works, buildings, sheds, warehouses, wharfs, jetties, works, and conveniences as may from time to time be necessary for the improvement of the harbour, or the accommodation of the shipping resorting thereto; but the erection of all sheds, warehouses, storehouses, or other structures upon the quays, piers, or wharves now belonging or which may hereafter belong to or be acquired by the Commissioners shall be subject to the whole conditions and provisions having reference thereto contained in the said Feu Charter.

Power to levy rates according to Schedule

10. Subject and according to the provisions of this Order, the Commissioners may demand, levy, and recover in respect of vessels, goods, fish, animals, and things described in the Second Schedule to this Order any sums not exceeding the several rates therein specified.

Certain fishing vessels under stress of weather exempt from rates

11. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the harbour of Stornoway, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of Customs officers

12. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the wharf, harbour, and works by land, and with their vessels and otherwise, without payment.

Cesser of rates in certain case.

13. If at any time the said Feu Charter, from any cause whatever, becomes void, or is set aside, reduced, or invalidated, as to the whole thereof, or as to any part thereof containing a disposition of property in favour of the Commissioners, the right to levy rates under this Order shall, ipso facto, absolutely cease.

Application of rates and income

14. The Commissioners shall apply all money received by them from the rates, tolls, and dues authorized by this Order, and all other income coming into their hands in respect of the works authorized by this Order, or from the lands or property connected therewith, or otherwise belonging to them, for the purposes and in the Order following, and not otherwise:—

(1.) In paying the costs of and connected with the preparation and making of this Order:

(2.) In paying the feu duties and rents payable in respect of the lands and property belonging to the Commissioners, and the expenses of the making, maintenance, management, and regulation of the existing harbour, and of the new works, and the lands and property connected therewith:

(3.) In paying the interest of any money borrowed under this Order, and any sum payable on account of the principal thereof:

(4.) As to the surplus revenue of the harbour, if any, after providing for the purposes aforesaid, the same shall be applied in creating a sinking fund in manner, and, in so far as the nature and circumstances of the case will admit, in the proportion specified by The Commissioners Clauses Act, 18 7.

15. The

15. The Commissioners may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of ten thousand pounds, on the security of the works authorized by this Order, and of the lands and property connected therewith, and of the rates and dues authorized by this Order, or of any of those particulars, or of any other the property of the Commissioners; or they may accept and take from any bank or banking company credit to such amount as they deem expedient, not exceeding in the whole the said sum of ten thousand pounds, on a cash account to be opened and kept in the name of the Commissioners, according to the usage of bankers in Scotland; and they may assign the rates and dues hereby authorized, the works authorized by this Order, and the lands and property connected therewith, and any other lands or property belonging to them, in security of the repayment of the sum or sums so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively, by dispositions and assignations under their common seal and signed by three of their members, which dispositions and assignations, and all transfers thereof, may be in the form as near as may be in the Schedule (B.) to The Burgh Harbours (Scotland) Act, 1853, annexed, and shall be recorded in the General Register of Sasines or in the Particular Register of Sasines for the counties of Inverness, Ross, &c., and have preference according to the priority of their registration therein, except in so far as a pari passu preference may by the dispositions and assignations have been established among all or some of them, as being assignations of parts of one capital sum, which the Commissioners may by a resolution of a specified date have determined to borrow in parts. Power to borrow

16. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order. Money to be applied to purposes of Order.

17. If within two months after the interest on any mortgages granted by the Commissioners has become due, or after the period prescribed for the payment of the principal sums in such mortgages has expired, such interest or principal (as the case may be) shall not be paid, the holders of such mortgages may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, require the appointment of a judicial factor, by an application to be made as herein-after provided. Arrears of interest, &c. may be enforced by the appointment of a judicial factor.

18. Every application for a judicial factor under the provisions of this Order shall be made to the Sheriff or Sheriff Substitute of the county of Ross. On any such application the said Sheriff or Sheriff Substitute may, by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the harbour rates hereby authorized, or other the revenue of the Commissioners, until all the arrears of interest or of principal, as the case may be, then due on the outstanding mortgages, together with all costs, including the charges of receiving the said rates, be fully paid. Upon such appointment being made, all such rates as aforesaid shall be paid to and received by the person so appointed, and the money so received shall be so much money received by or to the use of the mortgagees, and so soon as the full amount of any interest or principal in arrear, and costs, has been so received, the power of such judicial factor shall cease: Provided always, that such judicial factor shall distribute among all the mortgagees to whom interest or principal shall be in arrear the rates and other monies which shall so come into his hands, having respect in such distribution to the priorities, if any, of such mortgagees. Appointment of a judicial factor.

Amount to authorise application.

19. The amount to authorize the application for appointment of a judicial factor shall be one thousand pounds in one or more mortgages.

Exclusion of portions of Harbours, Docks, and Piers Clauses Act.

20. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen, both inclusive, and sections twenty-five and twenty-six; and this Order shall be deemed "the special Act" within the meaning of the last-mentioned Act.

Confirmation of byelaws and provision for management of harbour.

21. Any byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed by the Board of Trade, which allowance shall be sufficient as confirmation thereof for all purposes; and it shall not be lawful for the harbour master, by virtue of section 52 of that Act, or of any other authority, or for the Commissioners, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Meters and weighers.

22. The Commissioners shall have the appointment of meters and weighers within the harbour.

Steam vessels, lighters, &c.

23. The Commissioners may provide such steam engines, steam vessels, piling engines, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for the purposes of the harbour, and may demand and receive such sums for the use of the same as they think reasonable.

Harbours and Passing Tolls Act

24. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Harbour of Stornoway.

Application of Charter

25. Subject to the provisions of this Order, and of the enactments therewith incorporated, the Commissioners shall have all the powers and authorities conferred by and shall be subject to and bound by all the restrictions and stipulations contained in the said Feu Charter; and all property thereby expressed to be disposed to the Stornoway Pier and Harbour Commission is hereby vested in the Commissioners, subject as aforesaid, and to the provisions of the said Feu Charter, as far as the same are not inconsistent with this Order.

Saving rights of Sir James Matheson, Bart

26. Nothing in this Order, or in any of the Acts therewith incorporated, shall authorize the Commissioners to take, use, or in any manner interfere with any land, soil, shores, foreshores, tenements, or hereditaments, or any rights of whatever nature, belonging to or enjoyed or exerciseable by the said Sir James Matheson, Baronet, or to or by the heritable proprietor of the barony of the Lews and of the shores of the bay of Stornoway, or his successors or assigns, without his or their consent in writing, further or otherwise than is expressed and contained in the said Feu Charter; and, save as in this Order expressly provided, nothing in this Order shall divest, take away, prejudice, diminish, or alter any right, privilege, power, or authority vested in or enjoyed or exerciseable by the said Sir James Matheson or such proprietor as aforesaid, or his successors or assigns.

Saving for rights of third parties.

27. Nothing in this Order shall confer on or confirm to the said Sir James Matheson, his heirs, executors, administrators, successors, or assigns, any estate, right, title, or interest in or to any property or thing, or affect the estate, right, title, or interest (if any) of any person claiming any property adversely to him or them.

Short Title.

28. This Order may be cited as The Stornoway Harbour Order, 1865.

The

The First Schedule to which the foregoing Order refers.

Know all Men by these presents, that I, Sir James Matheson, of Achany and the Lews, Baronet, Member of Parliament for the combined counties of Ross and Cromarty, heritable proprietor of the barony of the Lews, including the burgh of barony of Stornoway and of the shores of the bay of Stornoway:

Considering that whereas there is a pier or quay at Stornoway, called the Old Pier or Big Quay, belonging to me, which was in or about the year eighteen hundred and seventeen rebuilt by subscription, and that the feuars of Stornoway are desirous to have an influential voice in the management of the said Old Pier or Big Quay, and in the application of the dues collected thereat:

And whereas I am willing, not only to meet their wishes in these respects, by having the property and management of the said Old Pier or Big Quay effectually vested in a commission, to be to a large extent chosen by the municipal authorities of the burgh of Stornoway, or the feuars or parliamentary electors within the said burgh, in the way and manner after mentioned, which has been approved by a committee of the said feuars, but also, and to the satisfaction and with the approval of the said committee, further, with the view of and for the purpose of conferring on the said commission the means of improving and extending the harbour accommodation generally, to vest in the said commission, in addition to the said Old Pier or Big Quay, a portion of ground and shore at the east side of the said Old Pier or Big Quay and contiguous thereto, and also a large portion of ground and shore contiguous to the south side of the said Old Pier or Big Quay, and extending southward therefrom to and including the Old Castle, Steamers Quay, booking office, and storehouse:

Therefore and in consideration of the feu duties for the ground, and of the annual sum, herein-after termed an additional feu duty, as restricted interest on a sum of eight hundred and fifty pounds sterling, or thereby, expended by me on the Steamers Quay and others herein-after conveyed, and which last-mentioned annual sum of additional feu duty is to be redeemable as after declared at sixteen and two thirds of a year's purchase—

Wit ye me to have sold, alienated, and in feu farm disponed, as I by these presents sell, alienate, and in feu farm dispone, from me, my heirs and successors, to and in favour (First) of myself and of Donald Munro, my chamberlain (as chamberlain, but while and so long as he holds that office only, and who shall only be competent to act as a commissioner in my absence), (Second) to and in favour of Kenneth Smith, feuar and merchant, Norman McIver, feuar and shipowner, and John Morrison, feuar and merchant, all residing in Stornoway, three commissioners elected by the commissioners in Stornoway acting under the General Police and Improvement (Scotland) Act, eighteen hundred and sixty-two, (Third) to and in favour of Donald Mackenzie and Daniel McAlister, both feuars and shipowners in Stornoway, two commissioners nominated and appointed by me, and (Fourth) to and in favour of Kenneth Mackenzie, householder and bank agent, residing in Stornoway, the commissioner appointed by the Sheriff of the county under the power to that effect conferred by me (with concurrence of the said committee) upon him, being the seven persons who are to constitute for the current year the commission for managing the piers, quays, and harbour of Stornoway as after mentioned, and to be hereafter called "The Stornoway Pier and Harbour Commission," and to my successors, Superiors of the said burgh for the time, and to the chamberlain or factor of the

Superior

Superior for the time (but only to act in absence of the Superior), and to the successors of the said several other persons before named to be appointed or to become members of said commission hereafter, and to the said Stornoway Pier and Harbour Commission itself, with perpetual succession, so soon as the said commission shall be incorporated:

First.—All and whole the vacant or lately vacant space or piece of shore ground at Stornoway lying to the east of the said pier or Big Quay, and between the same and the pier to the east of said ground, and opposite to the northern portion of the feu on the south side of North Beach Street that belonged to the late Daniel Lewis Mackenzie, and northwards as far as in a line with the northern boundary or face of the said Old Pier or Big Quay, so that the pier or quay to be formed or lately formed by filling up said vacant or lately vacant space or piece of shore ground will adjoin or does now adjoin the said pier, and will be or now is in a line with said northern boundary or face of said Old Pier or Big Quay, and which vacant or lately vacant space or piece of shore ground is bounded as follows, viz.: On the west by the said Old Pier or Big Quay, along which it extends ninety-seven feet, measuring from the north-east corner of said Old Pier or Big Quay southwards to a point in North Beach Street fifty-one feet distant in a straight line drawn in a westerly direction from the east front of the house belonging to me next adjoining the said Old Pier or Big Quay, and presently occupied as a hotel and stores, and forty-three feet six inches distant in a straight line drawn southwards from the north boundary of the said feu on the south side of North Beach Street that belonged to the late Daniel Lewis Mackenzie; on the south by a straight line extending eastwards from the point last-mentioned fifty feet six inches to a point forty feet six inches distant from the northern boundary of the said feu on the south side of North Beach Street; on the east to the extent of seventy-three feet by the said pier opposite to the eastern portion of the said feu on the south side of North Beach Street, and to the extent of twenty-seven feet farther north by the shore ground belonging to me, but upon which there is to be or has been built a prolongation of said pier last mentioned, so that the said vacant or lately vacant space or piece of ground hereby disponed will ultimately be or now is wholly bounded on the east by the pier last mentioned, as the same is to be or now is extended, and on the north by the shore ground belonging to me.

Second.—All and whole the pier and quay at Stornoway called the Old Pier or Big Quay lying immediately to the west of the vacant or lately vacant space or piece of shore ground last above described and above disponed, and north of the house and stores belonging to me next adjoining the said Old Pier or Big Quay, measuring on the east eighty-six feet along the said vacant or lately vacant space or piece of shore ground, on the south fifty-one feet from the said vacant or lately vacant space or piece of shore ground to the north-east corner of the said house and stores belonging to me next adjoining the said Old Pier or Big Quay, and eighty-eight feet along the north wall of the foresaid house and stores, and from the north-west corner of said house and stores eighty-five feet westwards or seawards, and on the west and north by the sea.

Third.—All and whole the ground and shore at Stornoway to the south of the said Old Pier or Big Quay, and extending therefrom southwards, and lying to the west of a double straight line delineated in red ink, and extending from the point marked A upon a plan of the said subjects appended, and signed by me as relative hereto, and extending to the point marked B on said plan in a line with the front or south wall of the property belonging to me called

Tolmies

Tolmies store and yard and forty feet distant from the south-west corner of said subjects, thence in a straight line in a south-easterly direction to a point marked C on said plan forty feet distant from the point marked B, and thence in a direction a little more easterly to a point marked D on said plan forty-one feet distant from the point marked C, where the present building used as a steamer's store and booking office adjoin the landing slip, thence in a straight line nearly south to a point one hundred and eighty-eight feet distant from the point D marked E on said plan, and from the said point E, the shore and ground hereby conveyed is bounded on the south by a straight line to the point eighty feet distant marked F on said plan, and on the west from the said point F by a straight line in a line with the west face of the present steamer's quay, and one hundred and forty-five feet distant therefrom to a point marked G on said plan with the foreshore or solum seawards, or to the west of the present steamer's quay and line marked B, C, and A, and which ground includes the Old Castle, Steamers Quay, and storehouse, and booking office.

All the said three subjects lying within the town, burgh, and parish of Stornoway, barony of the Lews and county of Ross; declaring that the said three subjects above disponed are so disponed, and that the foresaid descriptions thereof respectively are to be read and construed with reference to the delineation thereof shown by the double line in red ink on the plan of that part of Stornoway before mentioned hereto subjoined and signed by me as relative hereto, and no otherwise, with all right possessed by me to embank and appropriate the same for harbour purposes, and to levy and exact harbour dues and rates at the said piers and quays, and at all other piers and quays formed or to be formed, and to become vested in the said Stornoway Pier and Harbour Commission, in virtue of these presents, or of the powers to acquire further therein contained, with all my right, title, and interest thereto and therein, present and future, direct and contingent; excepting and reserving always for the purpose of being used for proper access, and roadways or streets to be kept up, and maintained and managed as such in the same way as other roads and streets within Burgh, the spaces specially described in the fourth condition of these presents hereinafter written; and further reserving to me and to Thomas Reid, feuar in Stornoway, and to our respective successors after written, special right of access as in said condition expressed; as also excepting always from the said subjects all mines of gold and silver in terms of the exception in my crown grant of the Barony of the Lews; and hereby expressly declaring that the several subjects above described are disponed for the purposes, and with the powers, and under and subject to the whole conditions, provisions, declarations, and obligations herein-after written, all and every one whereof my disponees before named forming the present Stornoway Pier and Harbour Commission by acceptance hereof, for themselves and their successors, forming the Stornoway Pier and Harbour Commission for the time, and the Stornoway Pier and Harbour Commission itself in all time to come, shall, by acceptance hereof, be expressly held as a commission to have adopted, and become bound as a Commission to fulfil in every particular, and which purposes, conditions, powers, provisions, declarations, and obligations are as follows:—

First.—The said subjects shall be held by my said disponees as the persons constituting for the current year a commission or board to be called "The Stornoway Pier and Harbour Commission," as after provided, and by their successors appointed as after mentioned forming the Stornoway Pier and Harbour Commission for the time, for the purposes of managing

the said piers, quays, and harbour now existing, and all extensions or enlargements that may be made by them on the subjects hereby conveyed, or any other piers and quays that they may acquire in virtue of the powers herein-after conferred, and for the purposes of improving and extending the accommodation for trading, shipping, and fisheries, and with power to levy such dues thereat as they may legally be entitled or may be authorized to exact, and with power to appoint committees of their own number, and to appoint clerks, collectors, harbour masters, pier keepers, and all other officers necessary for the proper management of the said piers, quays, and harbour, and to make and enforce all such rules and regulations for the management of said piers, quays, and harbour, and the use thereof, as they may be legally entitled, or may be authorized to make and enforce, and with full power, if they so think fit, to take all steps under the existing or any future General Pier and Harbour Acts for enabling them to take the advantage thereof in all respects, and with power, if they find it necessary, to apply for a special Act of Parliament for the better management and improvement of the said piers, quays, and harbour; provided always, that in the latter event the said Act shall be applied for with my consent, or with the consent of the Superior for the time, and that such special Act shall be carried through by my agent, or the agent of the Superior for the time, all parties interested getting an opportunity of being heard for their interests in the usual manner; and generally with power to do all and whatsoever I could have legally done had I not granted these presents, except in so far as their powers are qualified or limited by the terms hereof.

Second.—The parties before named, other than myself and my chamberlain, shall hold office until the first Tuesday of the month of May eighteen hundred and sixty-five, that is, they shall cease to hold office at the end of the first Monday of May, and their successors appointed in their place shall enter on office upon the first Tuesday of May eighteen hundred and sixty-five, and in like manner the Commissioners named and appointed in their place shall hold office for one year from the said first Tuesday of the month of May in the year of their appointment to the end of the first Monday in the same month in the following year. and so forth in all time to come, that is, the said six Commissioners to be appointed annually shall hold office for one year and no longer, it being nevertheless hereby declared that any or all of such Commissioners may be annually re-elected or re-appointed as often as the parties entitled to elect them may think fit.

Third.—The said Commission shall in all time to come consist and be composed of seven acting members, videlicet:—

(First.) Of the Superior of the burgh of Stornoway and his chamberlain for the time, the one in the absence of the other, declaring that the Superior for the time and his chamberlain shall be permanent Commissioners, but the one only to be capable of acting in the absence of the other; and the Superior of Stornoway, or his chamberlain for the time, shall, when present, be chairman of the Commission, with an original or individual and also, in case of an equality of votes, with a casting vote.

(Second.)

(Second) Of three Commissioners to be annually chosen at some time during the month of April by the Commissioners in Stornoway, acting under the General Police and Improvement (Scotland) Act eighteen hundred and sixty-two, or other general or local Act under which municipal elections shall from time to time fall to be made, and shall be made from among the said Municipal Commissioners themselves, the three members to be chosen being always feuars within said burgh, and each of them owners of property therein of ten pounds or upwards of annual value (as evidenced by the valuation roll of the county or for the district of the Lews for the time), and resident in or near Stornoway; and in case there shall not at any time exist such statutory Commissioners for municipal purposes, then the said three members of the Stornoway Pier and Harbour Commission shall be chosen by the persons within the burgh of Stornoway entitled to vote in the election of members of Parliament (as evidenced by the roll of parliamentary electors for the time), such three Commissioners so elected being always feuars, and each of them owners of property within the burgh of Stornoway of the annual value of ten pounds or upwards (to be evidenced as aforesaid) and resident in or near Stornoway, and this at a meeting of the parliamentary electors within the burgh of Stornoway to be called by the Chairman of the Stornoway Pier and Harbour Commission, or in his absence by any three members of said Commission, by a printed or written notice to be posted in at least six public places in the town of Stornoway fourteen days previous to the day of election, or on such notice as may be prescribed by any byelaws or rules to be framed by the Stornoway Pier and Harbour Commission for regulating the calling of such meetings with the view to the election of members, full power to make such byelaws and regulations being hereby specially conferred on the said Commission.

(Third.) Of two Commissioners to be annually nominated on or before the first Monday of the month of May by me or the Superior of Stornoway for the time from among the resident feuars within the burgh each being an owner of property therein of the annual value of ten pounds or upwards (to be evidenced as aforesaid) or qualified to vote in the election for members of Parliament (to be evidenced as aforesaid)

(Fourth) Of one Commissioner to be annually nominated by the sheriff of the county for the time from among the feuars, owners of property within the said burgh of the annual value of ten pounds or upwards (to be evidenced as aforesaid), or from among persons within the said burgh qualified to vote for members of Parliament (to be evidenced as aforesaid), or from among the householders of the said burgh occupying houses of the value of ten pounds or upwards (to be evidenced as aforesaid)

Fourth—The said Stornoway Pier and Harbour Commission shall be bound, in case the site of the Old Castle included in the subjects third above disponed shall be built over, but if I or my foresaids so require only, to denote the central part of said Old Castle as now existing by preserving a proper and marked portion of the same, or in my option by a proper pillar or designating mark

mark being placed so as to denote the site of such central part, and, subject to the approval of me and my successors, the said site may be further denoted by a flagstaff or signal post placed on the portion preserved, or on the pillar or designating mark substituted therefor; and the said Stornoway Pier and Harbour Commission shall be bound to leave at all times between the portion of the Old Pier or Big Quay above disponed to be occupied for proper pier or quay purposes or for curing ground and the houses or buildings belonging to me ex adverso a sufficient space of not less than twenty-five feet for the free and convenient access of the public and others requiring and using such access; and when the proposed extension of pier or quay and new steamers quay is formed there shall be at all times left by the said Stornoway Pier and Harbour Commission between the portion of such extended pier or quay to be used for proper pier or quay purposes, or for curing purposes or curing ground, and the houses and yards presently belonging to me and the said Thomas Reid ex adverso of said extended pier or quay, a free space next adjacent to the said houses on the west of not less than twenty-five feet in breadth, measuring from the north-west corner of the house and stores belonging to me next adjoining the aforesaid Old Pier or Big Quay to the south-west corner of the property belonging to the said Thomas Reid, and from this last-mentioned south-west corner of Thomas Reid's property a free space of not less than twenty-five feet to the west of the same straight line prolonged southwards to the point marked B. on said plan in a line with the front or south wall of the property belonging to me called Tolmies store and yard, and forty feet distant from the south-west corner of said property, all for the purpose of affording free and convenient access and roadway or street for the use of the public and others to and from the piers and quays erected and to be erected as aforesaid; declaring that the right to use the said spaces for roadways or streets is hereby reserved as fully and completely as if the solum thereof had not, with reference to the better carrying out of the objects of these presents, been conveyed by me to the said Harbour Commission, and that the said spaces are not to be held, either as regards surface or solum, any part of the subjects for which feu duty is payable by the said Harbour and Pier Commission; reserving always to me and the said Thomas Reid and our respective successors, and our and their tenants occupying the aforesaid houses and yards ex adverso of the said extended pier or quay, a free space and convenient access to and from the said houses and yards, and the sea front of said extended pier or quay, but without prejudice to the said Stornoway Pier and Harbour Commission to exact and levy from me and the said Thomas Reid and our respective successors, and our and their tenants in the said houses and yards using the said pier erected or to be erected on the said vacant or lately vacant space to the east of the Old Pier or Big Quay, the said Old Pier or Big Quay and the Steamers Quay, and also the piers or quays to be formed ex adverso on the west of their said properties in Esplanade Row, when but not until such last-mentioned piers or quays are formed, such dues for the use thereof as they may legally exact and levy from others using the same.

Fifth.—It is hereby provided and declared that the said Stornoway Pier and Harbour Commission shall not, and, by acceptance of these presents, they bind and oblige themselves that they shall not, erect or form upon the piers or quays hereby disponed, or on the piers or quays to be formed on the portions of ground and shores hereby disponed, or on the piers or quays to be afterwards acquired or to be formed on ground to be afterwards acquired by the said Commission,

any

any sheds, storehouses, or other erections whatever, whether of a temporary or permanent nature, and whether of stone or of brick, iron, or wood, or other material, nor to project any stages, gangways, or platforms from said piers or quays into the sea in any direction, except with the express consent in writing of me or the Superior for the time, and subject to such conditions as to removal or otherwise as I or the Superior for the time may see fit to impose in the event of our giving such consents as conditions thereof: And it is hereby further provided, and the said Stornoway Pier and Harbour Commission, by acceptance hereof, expressly consent and agree, that in case the said Commission shall, in breach of their aforesaid undertaking, make erections of any sort on the piers or quays hereby disponed, or those to be formed by them on the ground or shore hereby ceded, or piers or quays to be afterwards acquired or to be formed on ground to be afterwards acquired, or shall project stages, gangways, or platforms therefrom into the sea, without the written consent of me or of the Superior for the time, or in case of any failure on their part to observe or fulfil any conditions subject to which consent to make erections may have been given by me or the Superior for the time, then and in any of these cases it shall be lawful to me or the Superior for the time, at our own hands and without any proceeding at law or judicial warrant, to remove all such erections, whether the same be of a permanent or temporary character, and whether of wood or any more enduring material, and all stages, gangways, or platforms projected from the said piers or quays into the sea; and the said Stornoway Pier and Harbour Commission, by acceptance hereof, oblige themselves to pay to me or to the Superior for the time the costs incurred by us in obtaining the removal of all erections made by them without written consent, or maintained contrary to the conditions on which such consent may have been given, including the cost of any judicial proceedings that may be resorted to by me or the Superior for the time in order to obtain such removal should we see fit, ob majorem cautelam, to adopt such

Sixth —When the proposed extension and improvement at the Steamers Pier and Old Castle are effected, the said Stornoway Pier and Harbour Commission shall, as soon thereafter as they conveniently can, remove the present storehouse at the Steamers Quay, and shall thereupon be bound to erect a new storehouse in a position suited to the altered circumstances of the quay; and the position, character, and elevation of such new store or warehouse to be erected as aforesaid shall always be subject to my approval or to the approval of the Superior for the time. And there shall be reserved and set apart, for the free use of myself and the Superior for the time, in the storehouse or warehouse to be erected instead of the existing storehouse at the Steamers Quay, an apartment of not less than twenty feet in length and twelve feet in breadth, of which I and the Superior for the time shall have exclusive possession, and be entitled to keep at all times locked, and in the meantime I retain right to take the free use of the existing storehouse in so far as necessary for my proper accommodation

Seventh —Providing and declaring as it is hereby provided and declared that these presents are granted with and under the burden of the current agreement between the Messrs Hutcheson & Co., Glasgow, and me (which the Stornoway Pier and Harbour Commission shall be bound to recognize and give effect to), by which they are secured the use, as for one year from the term of Whitsunday eighteen hundred and sixty-three, of the said store at the Steamers Quay, and a preferable right to the use and accommodation of that quay for their steamboats, and the loading and unloading with all proper use of the adjuncts and

free access thereto; as also the said Stornoway Pier and Harbour Commission become bound by acceptance thereof that aye and until proper and better accommodation for steamboat traffic is substituted for the present, and capable of being used in place thereof, the Messrs. Hutcheson shall have a preferable right to be afforded the accommodation they presently enjoy upon fair and reasonable terms, and in case of difference of opinion the payments to be made by them for such interim accommodation being to be determined by me.

Eighth.—In the event of failure in any year of me or of the Superior for the time, or of the Municipal Commissioners or parliamentary electors, or of the Sheriff, to nominate Commissioners or a Commissioner, or in the event of any member of the said Stornoway Pier and Harbour Commission dying, resigning, or becoming disqualified, or incapable of acting, or refusing to act, the other members of the said Commission shall have power to name one or more Commissioners to fill such vacancies for the year; and three members of the said Commission shall be a quorum, and the acts of such quorum shall always be valid and effectual.

Ninth.—The Stornoway Pier and Harbour Commission shall meet annually on the first Tuesday of May, and shall have power to adjourn their meetings from time to time as they may think fit, due notice of such adjournments being always given by the clerk to all members not present at the meetings at which the adjournments are made; and the Superior or chamberlain as chairman shall be entitled to call a meeting of the Commissioners whenever they may deem it necessary, and shall at all times be bound, on a requisition to that effect signed by two members of the Commission, to convene meetings of the Commission; and in case of the refusal of the chairman to call a meeting when so required, or in case of the absence from the island of the Superior and chamberlain, a meeting may be called by any three members of the Commission on a notice of fourteen days, such notice always setting forth the object of and business requiring to be transacted at such meeting.

Tenth.—At the first meeting, or at any subsequent meeting or meetings as may be found convenient, the said Commission shall frame rules and regulations for the conduct of the business of the Commission and general management of the piers, quays, harbour works, and harbour vested in them, in so far consistent with the several Pier and Harbour Statutes; and in case of any difference of opinion in regard thereto, the same shall be referred to two law agents in Edinburgh, the one to be named by the Superior, and the other to be named by members differing in the opinion from him.

Eleventh.—The said Stornoway Pier and Harbour Commission shall keep a full and distinct register of their proceedings, and distinct accounts of all revenue received by them for and in respect of the use of the piers, quays, harbours, warehouses, and grounds hereby transferred to them, or which may be hereafter acquired by them, and for and in respect of any erections to be hereafter made by them on the ground and shore above conveyed, and of any erections and any ground hereafter acquired by them as in extension of pier and harbour accommodation, and to that end, and without prejudice to the general power before given to them, and obligation by these presents placed on them, to appoint all officers necessary for properly carrying out the objects of the Commission; the said Stornoway Pier and Harbour Commission shall be bound at their first meeting, or, if then not convenient, at a meeting to be held not later than three months thereafter, to appoint a competent person to be clerk,

clerk, and the same or other competent person may be treasurer and collector to the Commission with suitable remuneration; and it is hereby (without prejudice to the power of the said Commission to confer on the said officials other duties and more exactly to define their duties) declared that it shall be the duty of the clerk to attend all meetings of Commission and of committees of Commission, and to take and frame proper minutes of the proceedings at such meetings, and, if required, to frame reports of committees, and, when the same have been confirmed, to engross them in a register to be kept of the minutes and proceedings of the Commission, as also to record in the said register all other writings necessary or calculated fully and distinctly to show and preserve evidence of the whole actings and transactions of the Commission; and it shall be the duty of the clerk to conduct the correspondence of the Commission, and duly to file and preserve all letters received on the business of the Commission, and duly to record in letter books to be kept for that purpose all letters written by him on the business of the Commission, alike those written under the direct authority of the Commissioners as letters written by him in the ordinary conduct of its business, and which letter books shall for ease of reference be duly indexed by the clerk; and it shall be the duty of the treasurer to keep an exact account of all sums in the shape of revenue received by him on behalf of the Commission, and to pay the whole thereof from time to time into a bank account to be kept in the name of the Commission to be termed "Revenue Account," and to be operated upon by cheques signed by the chairman and treasurer under authority therefor to be given by the Commission, and an exact account of all payments made by him on behalf of the Commission, and as out of the revenue bank account, and which payments shall not be made by him out of revenue directly received, but from money to be from time to time specially drawn from the said bank account by the Commission, and placed in his hands for the purpose of such payments; and the treasurer shall in like manner keep an account of all moneys received by him as from loans or otherwise towards the extension and improvement of the pier, quay, and harbour accommodation, which shall be paid wholly into a separate bank account, to be kept in name of the Commission, to be termed "Improvement Account," and to be operated upon as in the case of the other account, and he shall keep a distinct account of all payments made by him out of said moneys to be drawn and placed in his hands for that purpose, and the treasurer shall at the first meeting of Commission that may be held not sooner than one month after the term of Martinmas yearly, make and exhibit to the Commission a distinct account of revenue or income and expenditure thereout for the year terminating at such term, and showing the sources from which the various items of revenue are derived, and the several objects to which the expenditure thereout has been applied, and the excess of the one over the other, and in like manner he shall at the same time make out and exhibit along with the said account of revenue another account of loans (if any such have been received), showing the amounts and from whence derived, and the several objects for which any payments thereout have been made, and which several accounts the commission shall themselves or by others examine, and on being satisfied that the same are in all respects correctly stated and duly vouched, they shall docquet the same as accurate and approved, and they shall be engrossed by the clerk in the register of proceedings before directed to be kept by the clerk to the commission as aforesaid; declaring however hereby that, although separate bank accounts as for revenue and as for loans for improvements are to be kept, yet it is not therefore

therefore meant that the said Commission shall not have full power to apply money derived from revenue to the improvement and extension of the pier, quay, and harbour accommodation, but the said Commission shall on the contrary have full power to draw out of the revenue account and pay into the improvement account, to be employed towards improvements and extension of the pier, quay, and harbour accommodation, such sums as from time to time the said Commission may think right, and to apply the same accordingly.

Twelfth.—The Stornoway Pier and Harbour Commission shall, in so far as not already done, immediately fill up and form into a pier or quay, according to a plan to be approved by them or by the provisional committee after mentioned, the vacant or lately vacant space or piece of shore ground between the Old Pier or Big Quay and the pier opposite to the eastern portion of the feu on the south side of North Beach Street that belonged to the late Daniel Lewis Mackenzie, being the piece of shore ground first above conveyed, the cost of such operations being, in so far as not falling to be borne by others, defrayed out of the fund after mentioned.

Thirteenth.—The Stornoway Pier and Harbour Commission shall, with as little delay as may be, take the necessary steps under the several Pier and Harbour Statutes, or otherwise in their discretion, for incorporating the said Commission, and for obtaining power to enable them to levy such dues and rates as may be necessary for executing such works as may be deemed expedient, and generally to obtain themselves as an incorporated body, vested with such powers as may be proper to enable them to improve and extend the pier, quay, and harbour accommodation at Stornoway, by obtaining the consent of the Board of Trade or other competent authority to extend the same seaward over the shore between the Old Pier or Big Quay and the Old Castle, including therein the present pier called the Steamers Pier with the view and for the purpose and to the effect of providing enlarged space for the accommodation of shipping, traders, fish curers, and fishermen, and also proper and permanent pier, quay, and harbour accommodation for steam vessels, and also for raising funds for the purposes agreed on by means of loans from the Public Works Commissioners, or otherwise, hereby declaring that I or the Superior for the time shall be bound, upon the said Commission becoming incorporated, to grant all or any deeds deemed necessary for fully and completely vesting the Commission as a corporation in the subjects hereby disponed, but in conformity always with these presents and my rights under the same.

Fourteenth.—Providing and declaring, as it is hereby expressly provided and declared, that in case the said Stornoway Pier and Harbour Commission shall not have raised or at least secured the obtaining of the funds (not less than two thousand five hundred pounds sterling) necessary to enable them to provide better accommodation within the space of three years from their first meeting, then and in that case the subjects first and third above conveyed shall (in my option to be declared in a writing to be addressed to the said Commission, and delivered at the usual place of meeting of the said Commission to the said Commission or to their clerk) revert to me and my heirs and successors, and shall, from the expiry of that period, cease to belong to the Stornoway Pier and Harbour Commission, and this present deed, in so far as regards the subjects first and third above conveyed, and all relative conditions, shall become void, and the said Stornoway Pier and Harbour Commission shall be bound to grant to me a reconveyance of the said subjects, and a discharge of all claims any way competent

competent to them in relation thereto under these presents, and I shall be entitled, failing their so doing, to pursue declarators of extinction of rights, denuding, &c., or other apt action before the Court of Session, in which it shall be sufficient to call the persons appointed members of said Stornoway Pier and Harbour Commission last before the date of raising said action for establishing my right to the said subjects, and denuding the said Commission thereof, with conclusions for having the said subjects disburdened of all claim at the instance of the said Stornoway Pier and Harbour Commission, and for the recording of the decree to be pronounced in the register of sasines as for my reinvestiture in the said subjects and for publication in case I or the Superior for the time may prefer that course to compelling the said Commission by action to reconvey; and such decree, when recorded in the register of sasines, shall have all the effect of a recorded conveyance of the subjects first and third above disponed, and form a complete reinvestiture of the Superior therein, and a full discharge thereof from all and every claim at the instance of the said Commissioners, who shall, from the date of any reconveyance by them or decree obtained by the Superior under this provision, be freed and relieved of the feu duties of fifteen shillings and ten pounds and additional feu duty of thirty pounds hereby stipulated to be paid for the said subjects first and third above disponed respectively; excepting always any arrears for former years and the proportions for the period between the date of reconveyance or the decree and the term of Whitsunday preceding, all which shall remain entire to the Superior, and capable of exaction by him from the said Commission.

Fifteenth.—The amount of rents and dues formerly collected at and for the Old Pier or Big Quay, presently deposited in the National Bank of Scotland at Stornoway, and amounting, as at twenty-third February eighteen hundred and sixty-three, to the sum of two hundred and fifty-nine pounds nine shillings and fivepence, besides interest at the rates allowed by the bank from the first day of November eighteen hundred and sixty-two, with the bank interest that shall have since accrued thereon, shall be transferred to the name of the Stornoway Pier and Harbour Commission, and shall be at their disposal for the objects of the Commission, and the bank account therefor shall be operated on by cheques signed by the Superior or chamberlain as chairman of the Commission, and by the person appointed and acting as clerk or treasurer of said Commission under and in terms of authority by the said Commission from time to time given to sign such cheques; and the sum now in bank as aforesaid shall be primarily applied to defraying the costs on both sides of taking out of court an action of declarator, at my instance presently pending in the Court of Session, against the said Kenneth Smith and certain other parties at Stornoway, and extracting the decree therein, and the costs on both sides of these presents, and of recording the same, and thereby or otherwise duly vesting my disponees in the said subjects; and in the second place in defraying the cost of filling up the vacant or lately vacant space or piece of shore-ground between the Old Pier or Big Quay and the pier opposite to the eastern portion of the feu on the south side of North Beach Street that belonged to the late Daniel Lewis Mackenzie under the obligation to do so above placed on my disponees.

Sixteenth.—To facilitate the raising of the funds that may be necessary for the improvement and extension of the piers, quays, and harbour, I hereby agree that, if requisite, I will postpone the sum of thirty pounds of additional feu duty in respect of the subjects third above disponed, being the proportion of additional feu duty fixed upon as a yearly return as in place of restricted

interest on the outlay made by me on the subject third above disponed, to the payment of the annual sum which it may become necessary for the Commission to pay in respect of the money to be borrowed by them for such improvement and extension; it being, however, hereby stipulated that in case the revenue of the piers, quays, and harbour shall be insufficient to meet the cost of management, the ground feu duties of fifteen shillings, three pounds, and ten pounds, the annual payment to the Public Works Loan Commissioners or other parties advancing money for the improvement or extension of the piers, quays, and harbour on the security thereof, and the said sum of thirty pounds of additional feu duty, then the last-mentioned sum of thirty pounds of additional feu duty shall only be postponed until funds become available for its payment when it shall be paid with interest.

Seventeenth.—In respect that it was not found convenient to form the said Stornoway Pier and Harbour Commission by the execution of these presents at an earlier period: And whereas the said Kenneth Smith, Norman Mac Iver, John Morrison, and the said Donald Munro, my chamberlain, have been acting as a provisional committee with the view of filling up the vacant or lately vacant space or piece of shore ground between the Old Pier or Big Quay and the pier opposite to the eastern portion of the feu on the south side of North Beach Street that belonged to the late Daniel Lewis Mackenzie, regulating the portions of the same and of the said Old Pier or Big Quay to be let for herring curing purposes, appointing a harbour master, and otherwise performing certain of the duties hereby devolved upon the Stornoway Pier and Harbour Commission, the said Commission shall adopt, recognise, and give effect in all respects to the actings of the said provisional committee, and shall relieve the said committee of all outlays made and obligations undertaken by them in their actings as a provisional committee on their duly accounting for all sums received by them for and in respect of the said Old Pier or Big Quay or other of the subjects above disponed and dues leviable thereat.

Eighteenth.—The whole foregoing purposes, powers, conditions, provisions, declarations, and obligations with this eighteenth provision itself, and the tenendas and reddendo clauses after written, with the clause allowing partial redemption of the said additional feu duty of thirty pounds in place of restricted interest on outlay (unless such redemption has been made or until it be fully made), shall be made real burdens on the subjects above conveyed respectively by the recording of these presents or of a notarial instrument containing the said purposes, powers, conditions, provisions, declarations, obligations, and clauses in the General or Particular Register of Sasines within three months from the date hereof, and the said purposes, powers, conditions, provisions, declarations, obligations, and clauses shall be repeated or competently referred to in all future deeds transmitting or vesting the said subjects all under the pain of nullity in case of the non due recording of these presents, or of a notarial instrument in the requisite form, and containing as aforesaid, or of the omission from future deeds of transmission or investiture of the said purposes, powers, conditions, provisions, declarations, obligations, and clauses or competent and equivalent references thereto; but declaring, as it is hereby specially provided and declared, that any alteration on or addition to the conditions and provisions herein contained which may be made by the Board of Trade or other competent authority under the application to be made for power and authority to such Commission, or that may be made by Parliament, shall be held to be part and parcel of these presents, and shall control and limit or extend

extend, as the case may be, the terms and conditions hereof, and the rights hereby granted or intended to be granted, in the same way as if such alterations and additions had been herein engrossed, without prejudice to and always reserving entire my rights as Superior, and payments due to me under these presents as such Superior.

With entry to the said subjects as at the term of Whitsunday 1864: To BE HOLDEN the said several subjects above disponed by the said present members of the Stornoway Pier and Harbour Commission above named, and their successors forming the said Commission for the time, and by the said Stornoway Pier and Harbour Commission itself, of and under me and my successors as Superiors of the same, in feu farm, fee, and heritage for ever.

GIVING therefor yearly the said Stornoway Pier and Harbour Commission to me and my aforesaids as follows; videlicet,—for the subjects first above disponed the sum of 15*s.* sterling of feu duty, for the subjects second above disponed the sum of 3*l.* sterling of feu duty, and for the subjects third above disponed the sum of ten pounds sterling of feu duty as for the ground thereof, and the farther sum of 30*l.* sterling of additional feu duty as in the place of restricted interest on the sum of 850*l.* sterling or thereby expended by me upon the said subject third above disponed (redeemable the said additional feu duty of thirty pounds as after mentioned), beginning the first payment of said feu duties of 15*s.*, 3*l*, and 10*l.*, and the said additional feu duty of thirty pounds, at the term of Whitsunday 1865 as for the year preceding, and so forth at Whitsunday yearly in all time thereafter, with interest at the rate of 5 per cent. per annum of each year's feu duty from the time the same falls due till payment, and doubling the said sums of 15*s.*, 3*l.*, and 10*l.* every twenty-fifth year as a composition in place of entry; hereby specially declaring that the security for the said several sums of feu duty, amounting in all to 43*l.* 15*s.* sterling, (including therein the annual return or additional feu duty of 30*l.* as in place of restricted interest on outlay redeemable as after mentioned,) shall equally extend over all the three subjects above conveyed; and I and the Superior for the time shall be entitled to proceed against all or any of the said subjects for the recovery of the whole feu duties and additional feu duty stipulated for as aforesaid, and to enter into possession thereof, and of the rents and dues leviable therefrom, just and sicklike as if the said three subjects had been disponed as one, and as if the said several feu duties and additional feu duty had been stated as a cumulo feu duty payable for the said several subjects as one; but declaring also that in the right to the said subjects first and third above disponed reverting to me or the Superior for the time under and in terms of the fourteenth condition of these presents, then and in that case the feu duties of 15*s*, 10*l.*, and the said additional feu duty of 30*l.* if the said last-mentioned feu duty shall be then unredeemed, or to the extent to which it shall be then unredeemed, shall cease and determine, as in said condition stipulated; but providing and declaring, as it is hereby expressly provided and declared, that it shall be in the power and option of the said Stornoway Pier and Harbour Commission to redeem the said additional feu duty of thirty pounds stipulated for, as in place of restricted interest on outlay at 16 years and two thirds of a year's purchase of the same, that is to say, to redeem the whole annual payment of 30*l.* by payments at any term of Whitsunday of a sum of 500*l.*, or to redeem the same gradually by payments at any term of Whitsunday of not less than a sum of one hundred pounds at a time, in which case for each one hundred pounds paid to me or my successors as in

redemption

redemption of said feu duty of 30*l.* one fifth thereof or 6*l.* yearly shall be extinguished, and on payment of the said sum of 500*l.* I shall be bound to grant and record, but at the expense of the Stornoway Pier and Harbour Commission only, a discharge and renunciation of the said sum of 30*l.* of additional feu duty, and on payment of each sum of 100*l.* I shall be bound to grant and record, but at the expense of the said Stornoway Pier and Harbour Commission only, a discharge and renunciation of six pounds or one fifth of said feu duty of 30*l.* sterling.

And I assign the writs, but to the effect only of maintaining and defending the above-named members of the Stornoway Pier and Harbour Commission, and their successors, forming the said Stornoway Pier and Harbour Commission, and the said Stornoway Pier and Harbour Commission itself, in the right of the lands, and others hereby disponed, and for that purpose I oblige myself and my foresaids to make the same forthcoming to the said Stornoway Pier and Harbour Commission at their expense on all necessary occasions on a receipt and obligation to re-deliver the same within a reasonable time and under a suitable penalty; and I assign the rents, dues, and rates proper to the subjects hereby disponed; and I oblige myself to free and relieve the said Stornoway Pier and Harbour Commission of all feu duties, casualties, and public burdens due at and previous to entry; and I grant warrandice of the said subjects, and of the rents and dues leviable therefrom; but as regards the shore to the extent only to which in law I have right to use the same under my grant thereof from the Crown or otherwise, and as regards the rents and dues to the extent only to which I have right to exact and levy the same; and I consent to registration hereof for preservation, and also to registration in the General or Particular Register of Sasines as for investiture and publication.

In witness whereof I have subscribed these presents written on this and the twenty-nine preceding pages of stamped vellum by Thomas Gilbert, Clerk to Messrs. Cheyne and Stuart, writers to the Signet, Edinburgh, (the word "Scotland" having been previously interlined to read as the sixth word of the nineteenth line of page second; the words "to a point" to read as the tenth, eleventh, and twelfth words of the twenty-third line of page fifth; the words "the revenue of" to read as the fifth, sixth, and seventh words of the thirty-second line of page twenty-fourth; and the word "duly" as the seventh word of the thirtieth line of page twenty-fifth; and the word "same" having on the fourteenth line of page twenty-first been previously partly written on an erasure; also the word "time" having been previously interlined to read as the seventh word of the fourth line of page twenty-fourth; and the word "harbour" on the thirty-first line of page first having been previously deleted,) at Lews Castle, Stornoway, the ninth day of August eighteen hundred and sixty four years, before these witnesses, William Edward Martin, my butler, and Thomas Mackay, my piper, both residing at Lews Castle.

(Signed) JAMES MATHESON

(Signed) W. E. MARTIN Witness.
(Signed) T. MCKAY. Witness.

Registered in the Particular Register of Sasines for Inverness, &c. 1st October 1864.

The

The Second Schedule to which the foregoing Order refers.

I. Rates on Vessels entering or using the Harbour to load or unload.

	s.	d.
For every sailing or steam vessel loading or unloading, per registered ton	0	3
For every vessel laid up for wintering, per month, per registered ton (and in proportion for a less or longer period)	0	1½
For every loaded vessel which shall use any quay or landing-place without discharging or loading, per registered ton, per fortnight (and in the same proportion per ton for every fortnight or part of a fortnight after the first fortnight)	0	1½
For every vessel, light or in ballast and departing in ballast, using any of the quays or landing-places, per registered ton	0	1½
For every boat or undecked or unregistered vessel of 8 tons burden and upwards using any quay or landing-place, loading or unloading cargo	2	0
For every vessel which may be moored within a line from the Old Castle to Ard Point or Aird-a-Chelirich for repairs, for six days or any lesser period, 1½*d.*, and for any longer period than six days, 3*d.* per registered ton.		

II. Rates on Herring Boats, &c.

For every herring boat, and every undecked boat prosecuting the herring fishing during the season in the month of May, June, or July, yearly	7	0

III.—Rates on Animals and Goods, shipped or unshipped, received or delivered, at or transhipped within the limits of the Harbour.

	s.	d.
Ale, beer, or porter, per hogshead	0	2
Ballast, per ton	0	1
Bark, in bulk, per ton	1	0
Beef, fresh or salted, or other provisions, per barrel	0	2
Biscuits and bread, per barrel bulk	0	1
Bones, per ton	0	6
Bone dust, per ton	0	8
Bran, per cwt.	0	1
Bricks, per 1,000	0	8
Butter, per cwt.	0	2
Carriages with four wheels, each	0	8
Carriages with two wheels, each	0	6
Carts, each	0	6
Cattle, viz.:		
Bulls, each	0	3
Cows, heifers, oxen, and stirks, each	0	2
Calves, each	0	1
Horses, asses, and mules, each	0	2
Pigs, each	0	1
Sheep, per score	0	6
Lambs, per score	0	3
Chalk, per ton	0	8
Cheese, per cwt.	0	3
Chimney cans, per score	0	3
Cloth, haberdashery, &c., per barrel bulk	0	2

	s.	d.
Carriage or cart wheels, per pair	0	2
Coal, per ton	0	2
Copper, per ton	1	4
Cordage, per cwt.	0	2
Cork, per cwt.	0	2
Cracklines, per cwt.	0	1
Cotton (raw), per ton	1	0
Dogs (sporting only), each	0	2
Earthenware, per barrel bulk	0	1
Eggs, per barrel bulk	0	2
Empty barrels, each	0	0½
Fish, salted or dry, per ton	0	6
Flax, per ton	1	0
Flour, per sack	0	1
Ditto, per barrel	0	1
Fowls and ducks, live, per dozen	0	1
Furniture (household), per barrel bulk	0	1
Fruit of all kinds, per barrel bulk	0	1
Gates (iron) of all sizes, each	0	3
Geese and turkeys, live, each	0	1
Glass (window), per crate	0	3
Grain; viz., wheat and malt, per quarter	0	3
Barley, bear, peas, beans, oats, and all other descriptions of grain, per quarter	0	2
Grease, per cwt.	0	2
Groceries, per barrel bulk	0	1
Guano and artificial manures, per ton	0	6
Grates and stoves, each	0	1
Gunpowder, per cwt.	0	4
Hardware, per barrel bulk	0	1
Hay, per ton	0	6
Hemp and cotton, unwrought, per ton	1	0
Herrings, fresh (exported only), per box or barrel	0	1
Ditto, cured ditto per barrel	0	1
Hides, per ton	1	0
Hoops (wooden), per 1,000	0	5
Husbandry (utensils of):		
Ploughs, each	0	3
Harrows, each	0	2
Rollers, each	0	3
Drill harrows, each	0	2
Reaping machines, each	0	3
And all other implements, per cwt.	1	0
Iron, pig or old, per ton	0	6
Ditto, bar, bolt, or rod, per ton	0	6
Kelp, per ton	0	3
Lathwood, per fathom	1	0
Lead of all kinds, and zinc, per ton	0	6
Leather, per ton	0	10
Lime, per barrel	0	0½
Limestone, per ton	0	1
Lobsters, per box	0	1
Machinery, per ton	1	0
Manure, per ton	0	2
Meal and flour, per bag of 280 lbs.	0	1
Millstones, each	0	8
Molasses and treacle, per ton	0	5
Oakum, per cwt.	0	0½
Oil, per ton	1	0
Oilcake, per ton	0	6

Pier and Harbour Orders Confirmation (No. 3.)

	s.	d.
Oranges, per box	0	2
Oysters, per box or sack	0	1
Paper, per cwt.	0	1
Peats, per ton	0	1
Potatoes, per ton	0	5
Poultry, including pigeons, game, and other birds, per box	0	2
Ropes and rags (old), per ton	0	6
Salt, per ton	0	3
Salmon, per box	0	1
Sand, per ton	0	1
Seeds, per 8 bushels	0	2
Shearing hooks, per gross	0	1
Shot, per cwt.	0	1
Slates, under size, per 1,000	0	3
Ditto, sizeable, per 1,000	0	4
Soda-water and lemonade, per gross of 144 bottles	0	3
Spades and shovels, per dozen	0	1
Spirits, per hogshead of 56 gallons	1	0
Staves (barrel), per 1,000	0	1
Stones (paving or dressed), per ton	0	1
Ditto, others, per ton	0	1
Snuff, per cwt.	0	8
Stucco, per ton	0	6
Sugar, per ton	0	10
Tallow, per ton	0	6
Tar, per barrel	0	1
Tea, per chest	0	4
Tiles or pipes for draining, per 1,000	0	6
Ditto, for roofing, per 1,000	0	6
Timber, unwrought, of all kinds, per load of 50 cubic feet	0	6
Spars or poles, 22 feet in length and under, per 120	1	0
Ditto, 22 feet in length and upwards, and not exceeding 6 inches in diameter, per 120	2	6
Tobacco, per roll	0	1
Tin, per box	0	1
Tow, per ton	0	5
Vitriol, per carboy	0	1
Wheels (carriage or cart), per pair	0	2
Wilks, per sack	0	1
Wine in cask, per hogshead	1	0
Ditto in bottle, per barrel bulk	0	1
Wool, per cwt.	0	1
Yarn, per ton	1	0
All other unenumerated articles to pay at landing or shipping:		
If by measurement, per barrel bulk	0	1
If by weight, per ton	0	8

Articles which can be measured to pay by barrel bulk, all others by weight.

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rate shall be charged.

Five cubic feet, not exceeding two and half hundredweight, to be rated as a barrel bulk; but when the weight of five cubic feet is greater than two and a half hundredweight, then two and a half hundredweight to be rated as a barrel bulk.

Exemptions from above-mentioned Rates.

1. All vessels mooring or using the anchorage ground within the limits of the harbour for refuge or waiting a wind, and all yachts and pleasure vessels, and all open boats other than the boats above specified.

2. Goods,

2. Goods, articles, effects, materials, matters, and things bonâ fide the property of the Superior of the burgh of Stornoway for the time, his family, or visitors at Lews Castle, or for their use or for the use of the Lews estate, landed or loaded at the shores of any part of the west side of the bay of Stornoway between Arnish Point and the water of Bayhead.

3 All returned empty boxes, barrels, sacks, and packages.

4. Passengers luggage not exceeding 2 barrels bulk; all above to pay the ordinary rates.

5. The furniture and luggage of fishermen coming to or returning from the herring fishery at the commencement or end of the fishing season.

6. Dogs used by servants in charge of live stock.

IV.—Rates for the use of Sheds, Cranes, and Weighing Machines.

1. *Sheds.*

For each ton of goods of eight barrels bulk, or for each ton of goods of twenty cwt., which shall remain in any shed or on the pier for a period not exceeding three days, the sum of threepence, and the sum of one penny halfpenny per ton for each day during which such goods shall remain after three days.

2. *Cranes.*

				s.	d
All goods or packages not exceeding 1 ton				0	3
Exceeding 1 ton and not exceeding 2 tons				0	4
„ 2 tons	„	3 tons		0	6
„ 3 tons	„	4 tons		0	8
„ 4 tons	„	5 tons		0	10
„ 5 tons	„	6 tons		1	0
„ 6 tons	„	7 tons		1	2
„ 7 tons	„	8 tons		1	4
„ 8 tons	„	9 tons		1	8
„ 9 tons	„	10 tons		2	0
„ 10 tons				3	0

3. *Weighing Machines.*

For goods weighed, one penny for each ton or part of a ton

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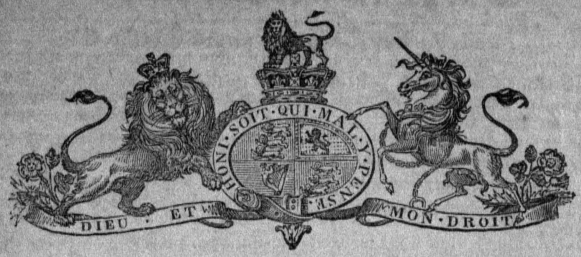

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think fit, to grant to any Licensed Victualler or Keeper of a Refreshment House whose Place of Business is in the immediate Neighbourhood of such Market, or of the Place where the Persons follow such lawful Trade or Calling, a Licence exempting him from the Provisions of the herein-before mentioned Act between the Hours of Two and Four o'Clock in the Morning, or any Part of such Hours, during such Days, Times, or Hours as shall be specified in such Licence; and no Licensed Victualler or Keeper of a Refreshment House to whom such Licence has been granted under this Act shall be subject to any Penalty for a Contravention of the herein-before mentioned Act during the Days or Times to which such Licence extends, but he shall not be exempted by such Licence from any Penalty to which he may be subject under any other Act of Parliament; provided that a printed Notice stating the Days and special Hours during which and the Class of Persons for whom the House is open under such Licence shall be affixed in a conspicuous Position outside the House.

Power to withdraw such Licence.

3. It shall be lawful for such Justices, from Time to Time, as and when it may seem fit to them, either to withdraw such Licence altogether, or to alter, vary, or amend the same in such Manner as such Justices may deem necessary or expedient.

Act to be in force in certain Districts, &c.

4. The said Act, as herein amended, shall be in force in such Districts under the Operation of the Public Health Act, 1848, or the Local Government Act, 1858, as adopt the same; and Local Boards of Health established under or by virtue of the said Public Health Act, 1848, and Local Boards established under or by virtue of the said Local Government Act, 1858, may adopt the said Public House Closing Act, 1864, in the same Manner; and the same shall come into operation at the same Time as is provided for the Adoption and coming into operation of that Act by Corporate Boroughs, or Boards of Improvement Commissioners; provided that this Section shall not apply to any District which is a Corporate Borough, or within the Jurisdiction of a Board of Improvement Commissioners.

Justices of the Peace to grant Licences.

5. So much of the Eighth Clause of the said recited Act as defines the Local Authority to be a Commissioner, Superintendent, or other Chief Officer of Police shall be repealed, and instead thereof the Local Authority shall be, in any District, City, or Town where Petty Sessions are held, except in the Metropolitan Police District, Two Justices of the Peace sitting in Petty Sessions, and in any other District, City, or Town, Two Justices of the Peace acting in the District, City, or Town.

6. This

6. This Act shall be deemed, construed, and taken as Part of the said herein-before mentioned Act. Act to be construed with recited Act.

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and carrying on Business under "The Companies Act, 1862," or under any Act of Parliament, as now or hereafter may be entitled to advance Money on the Security of Land; and in the Construction of this Act the Expression "the Company" means any Company to which this Act applies, and which shall for the Time being be availing itself of the Provisions of this Act.

No Company to avail themselves of Act unless it shall comply with Provisions herein named.

3. No Company shall be entitled to avail itself of this Act, unless it shall comply with the following Provisions:

First. The Company must, under its Act of Parliament or Memorandum of Association, be limited to One or more of the following Objects:

1. The making of Advances of Money upon any of the following Securities:—

(*a.*) Lands, Messuages, Hereditaments, and Real Property, and all Estates and Interests therein:

(*b.*) Rates, Dues, Assessments, and Impositions upon the Owners or Occupiers of Lands or Real Property imposed by or under the Authority of any Act of Parliament, Public or Private, Royal Charter, Commission of Sewers or Drainage, or other sufficient legal Authority:

(*c.*) Charges and Securities upon or affecting Lands, Messuages, Hereditaments, and Real Property executed, made, given, or issued under the Authority of any Act of Parliament, Public or Private:

2. The borrowing of Money on transferable Mortgage Debentures, or on One or more of the Securities above-mentioned:

Provided that any Company already constituted under "The Companies Act, 1862," for the Purpose of making Advances on Real Securities, and whose Memorandum of Association includes but is not limited to the Objects herein-before specified, may, by special Resolution in accordance with the Provisions of that Act, alter its Memorandum for the Purpose of limiting and so as to limit its Objects and Business to those so specified; and such Company shall thereupon be and become a Company constituting and carrying on Business under such altered Memorandum, and on its being shown to the Satisfaction of the Registrar herein-after mentioned that such Alteration has been made, and that all Obligations, if any, entered into by the Company in respect of the Business which prior to such special Resolution it was empowered to transact, other han the Business to which it will be limited after the passing of such special Resolution, have been discharged, and that the Articles of

of Association of the Company are in accordance with the altered Memorandum, such Company shall be deemed to be a Company within this Act and entitled to the Benefits thereof:

Second. The Company must have a paid-up Capital of not less than One hundred thousand Pounds:

Third. Each Share must be of the nominal Value of not less than Fifty Pounds, of which not less than One Tenth nor more than One Half must have been paid up.

Power to Company to borrow Money on Mortgage Debentures.

4. Subject to the Provisions and Restrictions of this Act, the Company may from Time to Time borrow Money upon Mortgage Debentures to be issued by it under the Authority of this Act.

Nature of Securities on which Debentures may be founded.

5. The Securities upon and in respect of which such Mortgage Debentures may be founded and issued shall be Securities affecting Property in *England* or *Wales* of the following Descriptions:

(*a.*) Lands, Messuages, Hereditaments, or Real Property, or some Estate or Interests therein:

(*b.*) Rates, Dues, Assessments, or Impositions upon the Owners or Occupiers of Lands, Messuages, Hereditaments, or Real Property, imposed by or under the Authority of any Act of Parliament, Public or Private, Royal Charter, Commission of Sewers or Drainage, or other sufficient legal Authority:

(*c.*) Charges upon or affecting Lands, Messuages, Hereditaments, or Real Property executed, made, given, or issued under the Authority of any Act of Parliament, Public or Private:

But, from the Securities described in Paragraph (*a.*) shall be excepted Securities upon Mines or Mineral Property, Quarries, Brickfields, and Factories, Mills, and other Buildings or Works for Manufacturing Purposes, and also Securities upon Leasehold Estates, determinable upon a Life or Lives, and not renewable or held for a Term, of which, at the Date of the Security, less than Fifty Years shall be unexpired, or which are subject to any Rent beyond a nominal Rent or a Ground Rent.

In construing this Act the Word "Securities" shall be deemed to mean such Securities as above defined and restricted, and no others.

Securities on which Companies wish to issue Debentures to be produced to Registrar of Titles, &c. for Registry.

6. When and from Time to Time as the Company may desire to use any Securities in their Possession for the Purpose of founding and issuing Mortgage Debentures thereon, they shall produce the Deeds or Instruments creating such Securities, duly executed and stamped, to the Office of Land Registry established by the Twenty-fifth and Twenty-sixth *Victoria*, Chapter Fifty-three, in order to the same being duly registered in such Office of Land Registry, in accordance with the Provisions of this Act.

7. For

Register of Securities to be established in Office of Land Registry.

7. For the Purposes of such Registration there shall be established in such Office of Land Registry, in respect of every Company issuing Mortgage Debentures under this Act, a Register, with the Name of the Company attached, which shall be called a Register of Securities under the Mortgage Debentures Act, 1865.

Registrar of Titles, &c. to conduct Business of Register.

8. The Business of the Registration shall be conducted in such Office in accordance with such Rules and Regulations as the Registrar, with the Sanction of the Lord Chancellor, from Time to Time shall prescribe.

Upon Deposit with Registrar of Securities held by Company, and the Deeds relating thereto, and Certificate of Company, and Declaration of Surveyor, Registrar may register Deed creating Security.

9. Upon Production to and Deposit with the Registrar of the Deeds or Instruments purporting to be duly executed and stamped as aforesaid, together with a Certificate under the Common Seal of the Company and the Hands of One or more Directors and of the Secretary or Accountant of the Company, in the Form or to the Effect of Form (A.) in the Schedule hereto, and in the Cases hereinafter mentioned of the Certificate of a Surveyor as herein-after provided, the Registrar shall enter in the proper Register of Securities the Date of every such Deed or other Instrument, its Nature, whether Mortgage, Grant of Annuity, Rentcharge, or other Security, the Amount of the Principal Money or the Amount and Duration of the Annuity thereby secured, and the Tenure, Extent, and Situation of the Property upon which the Security is taken: Provided always, that the Registrar shall not register any Deed or Instrument relating to or affecting any Property not situate in *England* or *Wales*.

Form of Declaration of Surveyor.

10. The Registrar shall not register any Deeds or Instruments for the Purposes of this Act until there shall have been produced for his Inspection, and left to be registered, a voluntary Declaration made by a Surveyor or Valuer, approved by the Inclosure Commissioners for *England* and *Wales*, in the Form (B.) in the said Schedule hereto, or to the like Effect; but when such Deeds or Instruments relate exclusively to any of the Securities described in Section 5 (*b* and *c*), the Report of the Surveyor or Valuer shall state only the Value at the Time of his Report of the Securities to be valued. There shall also be delivered with the before-mentioned Deeds or Instruments a Schedule, under the Hand of the Secretary or One of the Directors of the Company, of the Deeds and Documents which were delivered to the Company at the Time when the Security was executed to them, which Deeds or Documents shall be deposited with the Registrar, to be retained by him until withdrawn as herein-after provided.

11. Upon

11. Upon the Securities so from Time to Time registered, the Company may found and issue its Mortgage Debentures, but so that the aggregate Principal Sum secured by all the Mortgage Debentures shall never exceed at any One Time the then total Amount (to be ascertained in the Manner herein-after provided) of the registered Securities of the Company, and also shall never exceed Ten Times the Amount for the Time being uncalled of its subscribed Share Capital.

Power to Company to issue Debentures not exceeding Amount of registered Securities, &c.

12. Before any Company entitled to issue Mortgage Debentures under the Provisions of this Act shall register any such Mortgage Debentures under the Provisions of this Act, such Company shall file in the Office of the Land Registry a Return containing the following and such other Particulars as the Registrar may from Time to Time require, which Return shall be under the Hand of One at least of the Directors of the Company and the Secretary:

(*a.*) The Amount of the nominal Capital of the Company, and the Number and Amount of Shares into which the same is divided:

(*b.*) The Amount *per* Share and the aggregate Amount paid up on the Shares:

(*c.*) The Assets or Property of the Company at the Date of the Return, and how invested:

(*d.*) The Names, Addresses, and Occupations of the Directors and Auditors of the Company:

(*e.*) The registered Office of the Company.

Before Company shall register any Mortgage Debentures, it shall file a Return containing Particulars herein named.

13. If and whenever any of such Mortgage Debentures shall be paid off by the Company, the Company may issue new Mortgage Debentures in lieu thereof, and so from Time to Time, provided that the aggregate Principal Sum secured by all the Mortgage Debentures then issued and outstanding shall not exceed either of the before-mentioned Limits.

Company may issue new Debentures in lieu of those paid off.

14. All the registered Securities for the Time being of the Company shall be charged with the Payment of the Principal Monies and Interest from Time to Time payable upon or in respect of all the Mortgage Debentures of the Company for the Time being issued and outstanding; and no registered Security, until discharged therefrom as herein-after provided, shall be applicable to or available for any other Purpose than the Satisfaction of such Principal Monies and Interest, or be transferred, disposed of, or otherwise dealt with by the Company, unless and until the same shall have been discharged from Registration in the Manner herein-after provided: Provided, nevertheless, that such Registration shall not prevent the Company from receiving, applying, and giving a valid

Registered Securities charged with Payment of Debentures, and not applicable for any other Purpose until discharged from Registration.

Discharge for any Interest which may from Time to Time be receivable upon or in respect of any such Security, unless where a Receiver shall have been actually appointed under the Provisions of this Act.

Rights of Holders of Mortgage Debentures.

15. The Persons from Time to Time entitled to the Company's Mortgage Debentures shall, proportionally, according to the Amount of the Monies secured thereby, be entitled one with another to the Benefit of the registered Securities of the Company upon which such Mortgage Debentures are founded, without any Preference one above another by reason of Priority of the Date of any such Mortgage Debenture or otherwise.

Proceedings on Redemption of Securities.

16. Whenever any Person who has executed a Security which has been registered under the Provisions of this Act is entitled to redeem such Security, and has given Notice to the Company of his Intention so to do, the Company shall thereupon, and before the Day appointed for the Redemption, make Application to the Registrar for the Purpose of having such Security freed and discharged from the Charge of the Mortgage Debentures issued by the Company, and upon a Security of at least equal Value, as certified by a Declaration of the Surveyor or Valuer before mentioned, being produced to him for Registration and being registered accordingly, or its being shown to his Satisfaction that at least an Equivalent of Mortgage Debentures issued under the Provisions of this Act has been cancelled, he shall allow the same to be so freed and discharged, and shall cause an Entry to be made in the Register of Securities of the said Security being discharged, and shall re-deliver to the Company the several Deeds or Instruments to which such Security relates, and which were delivered to the Registrar for Registration, under the Provisions herein-before contained, and such Entry shall be conclusive Evidence of such Discharge.

Owner of registered Security upon default of Company may obtain the Discharge thereof from Company's Debentures.

17. If the Company shall not have procured such Discharge on or before the Day appointed for Redemption, the Mortgagor or other Person entitled to redeem such Security may apply to the High Court of Chancery by Summons, calling upon the Company to show Cause why such Security is not so discharged, and upon hearing such Summons the Judge shall appoint a Day by which the Discharge shall be obtained, and in default thereof shall order that the Amount of Principal and Interest Money due upon such Security shall, by a Day to be named in the Order, be paid into the Bank to the Credit of the Accountant General of the Court of Chancery to the Account of the Company's Mortgage Debentures, and shall make such Order as to the Costs of and incidental to the Application as the Court may deem just.

Upon

Upon Production to and Deposit with the Land Registrar of such Order, together with the Accountant General's Certificate of such Payment into Court as aforesaid, the Registrar shall make an Entry in the proper Register of Securities of the Discharge of such Security from the Company's Mortgage Debentures, and shall deliver to the Person named in such Order the several Deeds and Instruments to which such Security relates, and which were delivered to the Registrar under the Provisions herein contained.

Upon the Company proving to the Satisfaction of the Court, by the Production of a Certificate of the Registrar, either that a Security at least equal in Value to the Amount so paid into Court as aforesaid has been registered as aforesaid, or that an equivalent Amount of the Company's Mortgage Debentures has been cancelled, the Court shall direct the Payment out of Court to the Company of the Amount so paid in, together with any Dividends that may have accrued due thereon in the meantime.

Registrar to determine Fees.

18. There shall from Time to Time be paid by the Company or others, in respect of Business transacted under this Act by the Registrar, such Fees as the Registrar, with the Sanction of the Lord Chancellor, from Time to Time prescribes; and there shall also be paid by the Company to the Registrar, the Assistant Registrar, and the other Officers and Servants of the Office respectively, such Remuneration for their respective Services in the Execution of this Act as the Lord Chancellor from Time to Time sanctions.

Collection of Fees.

19. The following Rules shall be observed with respect to the Collection of Fees:—

(*a.*) All Fees so payable shall be received by Stamps denoting the Amount of Fees payable, and not in Money:

(*b.*) When a Fee is payable in respect of a Document, a Stamp denoting the Amount of the Fee shall be affixed to the Document and properly cancelled:

(*c.*) The Commissioners of Inland Revenue shall provide everything that is necessary for the Collection of the Monies by this Act directed to be paid by Stamps.

Inspection of Register.

20. Subject to such Regulations and on Payment of such Fees as the Registrar, with the Sanction of the Lord Chancellor, from Time to Time prescribes, any Person may inspect and make Copies of and Extracts from the Register.

Company to make Quarterly Returns to Registrar.

21. When and so long as the Company issues any Mortgage Debentures under this Act, and from Time to Time so long as any Mortgage Debenture so issued remains outstanding, the Company shall,

shall, within Ten Days after every Quarter Day as herein-after defined, make out and deliver to the Registrar the Quarterly Return by this Act prescribed; and every Quarterly Return shall be verified by the Statutory Declaration of Two Directors, and the Manager, Secretary, or Accountant of the Company.

Quarter Days for Purposes of Act.

22. The Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year shall be the Quarter Days for the Purposes of this Act.

Quarterly Returns made to Registrar to be as in Form (C.) in Schedule, and to contain Particulars herein named.

23. Every Quarterly Return to be made by the Company to the Registrar shall be in the Form set forth in Form (C.) in the Schedule to this Act, or as near thereto as Circumstances may admit, and shall contain, with reference to the then last Quarterly Day, the following Particulars:

(*a.*) An Account of all the Securities of the Company's at that Time registered, showing the aggregate of all Principal Sums remaining secured thereby and unpaid, and showing also the aggregate Amount or the aggregate estimated Value of all Annuities and other periodical Payments secured thereby:

(*b.*) An Account showing the aggregate Amount and the estimated Value of the Company's other Investments, and also the total Number and aggregate nominal Amount of the Shares of the Company's Capital held by Persons registered in the Company's Books as the Holders thereof, and the aggregate Amount paid up in respect of those registered Shares, and the aggregate Amount remaining to be paid thereon:

(*c.*) The Numbers and Dates of the several Mortgage Debentures issued by the Company and remaining in force, and the several Principal Sums secured by those Mortgage Debentures respectively, and the aggregate Amount thereof, and the Rates of Interest payable on those Principal Sums respectively, and the Time or Times for the Repayment of those Principal Sums respectively.

Estimate for Quarterly Returns of Amount or Value of Annuities.

24. The Amount or Value of the Annuities and other periodical Payments to be comprised in the Quarterly Returns shall be ascertained or estimated by an Actuary approved by the Registrar.

Total Amount of registered Securities.

25. The aggregate of all Principal Sums remaining secured by the registered Securities, together with the aggregate Amount or Value of the said Annuities as so ascertained or estimated, shall, for the

the Purposes of this Act, be deemed to be the total Amount for the Time being of the registered Securities of the Company.

26. Every Mortgage Debenture from Time to Time issued by the Company shall be a Deed under the Common Seal of the Company, duly stamped, as a Mortgage for the Amount secured, and bearing the Signatures of at least Two of the Directors, and the Counter-Signature of the Manager, Secretary, or Accountant of the Company, and shall be in accordance with the Form (D.) in the Schedule to this Act, or as near thereto as Circumstances admit.

Form of Mortgage Debenture.

27. The Company shall keep a Register, to be called the "Register of Securities," in which shall be entered the Date of every Deed or other Instrument registered at the Land Registry for the Purposes of this Act, its Nature, whether Mortgage, Grant of Annuity, Rentcharge, or other Security, the Amount of the Principal Money, or the Amount and Duration of the Annuity thereby secured, the Tenure, Extent, and Situation of the Property upon which the Security is taken, and if there are any Charges which take Priority of the Company's Security, then the Amount of such prior Charges.

Company to keep "Register of Securities."

28. The Mortgage Debentures shall be for the Payment of Principal Sums at a fixed Time, to be named therein, not less than Six Months nor exceeding Ten Years from the Date, with Interest thereon in the meantime, at such Rate as may be agreed, payable half-yearly or otherwise; and no Mortgage Debenture shall be issued for a less Principal Sum than Fifty Pounds.

Terms on which Mortgage Debentures may be issued.

29. The Mortgage Debentures shall be numbered consecutively, beginning with Number One, and every Mortgage Debenture shall be distinguished by its appropriate Number; and notwithstanding the Cancellation, Loss, or Destruction of a Mortgage Debenture, no other Mortgage Debenture shall bear the Number of that so cancelled, lost, or destroyed.

Mortgage Debentures to be numbered.

30. There shall be indorsed upon every Mortgage Debenture issued under the Provisions of this Act,—

Indorsement to be made upon Mortgage Debenture.

(*a.*) The Amount of the nominal Capital of the Company issuing the same:

(*b.*) The Number and Amount of the Shares into which such Capital is divided:

(*c.*) The Number of Shares issued and the Amount paid up in Money upon each Share so issued:

(*d.*) The Amount of the registered Securities of the Company as declared by the last Quarterly Return:

(*e.*) The registered Office of the Company:

Provided that any Inaccuracies or Omissions in such Indorsements shall not affect or invalidate the Debenture.

List of Mortgage Debentures to be kept by Company.

31. A Book containing a List of Mortgage Debentures shall be kept by the Company's Secretary, and on the Issue of any Mortgage Debenture an Entry of the Number and Date thereof, and of the Principal Money secured thereby, and the Name, Description, and Residence of the Person to whom it is issued shall be entered in such Book.

Register of Mortgage Debentures.

32. There shall also be established and kept in the Office of Land Registry, by or under the Direction of the Registrar, in respect of every Company issuing Mortgage Debentures under this Act, a Register of the Mortgage Debentures of the Company.

Registration of Mortgage Debentures.

33. When any Mortgage Debenture of the Company is duly executed and stamped, the Company shall produce it to the Registrar, in order to its being registered, and thereupon the Registrar shall enter in the Register of Mortgage Debentures the Number and the Date of the Mortgage Debenture, the Amount of the Principal Money thereby secured, and the Time or Times for Repayment of the Principal Money thereby secured, and shall make on the Mortgage Debenture an Indorsement stating the Day on which the Mortgage Debenture was produced to him for Registration, and of the Page of the Book in which the Entry thereof is made; and without such an Indorsement no Mortgage Debenture shall be a Charge under this Act upon the registered Securities of the Company.

Indorsement of Registrar.

34. The Indorsement of the Registrar on any Mortgage Debenture as herein-before mentioned shall be conclusive Evidence that it is a Mortgage Debenture duly registered under the Provisions of this Act.

No Notice of Trust receivable by Company, &c.

35. No Notice of any Trust in respect of any Mortgage Debenture shall be receivable by the Company or the Registrar.

Entry in Register of Discharge of Mortgage Debenture.

36. When a Mortgage Debenture is produced by the Company to the Registrar, with a Receipt for the Monies secured thereby indorsed thereon, signed and stamped, he shall make in the Register of Mortgage Debentures an Entry of the Discharge thereof.

Transfer of Mortgage Debenture.

37. Every Mortgage Debenture may be transferred by Indorsement in the Form (E.) in the Schedule to this Act, or to the like Effect.

Entry of Transfers by Deed of

38. Within Thirty Days after the Date of every such Transfer, if executed within the United Kingdom, or otherwise within Thirty Days

Days after the Arrival thereof in the United Kingdom, it shall be produced to the Company's Secretary, and thereupon the Secretary shall make an Entry thereof in a Transfer Book; and after the Entry the Transfer shall entitle the Transferee to the full Benefit of the original Mortgage Debenture, so far as it is then in force; and no Person having made the Transfer shall have Power to make void, release, or discharge the Mortgage Debenture so transferred, or any Money thereby secured; and for the Entry the Company may demand not exceeding Two Shillings and Sixpence; and, until the Entry, the Company shall not be in any Manner responsible to, or bound to take Notice of, the Transferee in respect of the Mortgage Debenture.

Mortgage Debentures to be made by Company

39. The several Acts from Time to Time in force relating to Stamps under the Care or Management of the Commissioners of Inland Revenue shall apply to the Stamps to be provided in pursuance of this Act, and to Documents on which the Stamps are impressed, and to collecting and securing the Sums of Money denoted by Stamps, and to preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully as if the Provisions were in this Act repeated and specially enacted with reference to those Stamps and Sums of Money respectively.

Stamp Acts applied to Stamps under Act.

40. In all Cases in which, by the Instrument creating the Trust, Trustees have a general Power to invest Trust Monies in or upon the Security of Shares, Stock, Mortgages, Bonds, or Debentures of Companies incorporated by or acting under the Authority of an Act of Parliament, they may invest such Trust Monies on the Security of Mortgage Debentures duly issued under and in accordance with the Provisions of this Act.

Further Powers of Investment to Trustees.

41. Any Person for the Time being entitled to any Mortgage Debenture of the Company shall be empowered from Time to Time to enforce the Payment of any Arrears of Interest or Principal (as the Case may be) due on such Mortgage Debenture by procuring the Appointment of a Receiver in the Manner and subject to the Conditions herein-after mentioned.

Power to appoint Receiver

42. If within Seven Days after the Interest accruing upon any Mortgage Debenture has become payable, and after Demand thereof in Writing made upon the Company by the Person entitled thereunto, such Interest be not paid, or if within Three Weeks after the Principal Money secured by any Mortgage Debenture has become payable, and after Demand thereof in Writing made as aforesaid, such Principal Money be not paid, the Person at the Time entitled

Terms on which Power may be exercised.

to

to the Receipt of such Interest or Principal respectively may apply for the Appointment of a Receiver, as herein-after provided.

Saving Rights of Mortgagees to sue.

43. No such Application shall in any way prejudice or affect the Right of any Person entitled to any such Mortgage Debenture to sue for any such Interest or Principal Money, as the Case may be, in any Court of Law or Equity.

Application for Receiver.

44. Every Application for a Receiver in the Cases aforesaid may be made to the High Court of Chancery by Petition or by Summons at Chambers, and on any such Application the Court of Chancery may appoint a Receiver to act on behalf of the Applicant and the other Persons entitled to the Company's Mortgage Debentures.

Removal of Receiver.

45. The Court may also remove the Receiver, and appoint another in his Stead, and so from Time to Time, and may make such Orders and give such Directions as to the Powers and Duties of the Receiver, and otherwise as to the Disposal of the Monies received by him, as may be thought fit.

Powers and Duties of Receiver.

46. Subject to any such Orders and Directions, the Receiver shall be entitled to receive or recover the whole or a competent Part of the Principal Monies, Instalments, Annuities, Interest, and other Monies from Time to Time payable to the Company upon or in respect of their registered Securities, and also any Monies standing to the Account of the Company's Mortgage Debentures under the Provision of Section 17, until the Principal and Interest due on all the Debentures issued by the Company, together with all Costs, including the reasonable and proper Charges of such Receiver, shall have been fully paid; and upon such Appointment being made, and Notice thereof to the several Persons liable upon such registered Securities, all such Monies from Time to Time payable upon or in respect of such registered Securities shall be paid to and received or recovered by such Receiver; and the Receiver shall apply the same, as from Time to Time received or recovered by him, first to the Payment of all such Costs, and afterwards to the Discharge and Payment of all Interest, or Principal and Interest, as the Case may be, due upon such Mortgage Debentures; and after such Costs, and such Interest, or Principal and Interest, shall have been fully paid, the Power of such Receiver shall cease.

Court may stay Order for Receiver upon Terms.

47. The Court may order, as to any of the above-mentioned Powers and Duties, that the Receiver shall not exercise the same without the Sanction or further Direction of the Court; and the Court may, at any Time after an Order for the Appointment of a Receiver

Receiver has been made, make an Order staying the same, either altogether or for a limited Time, on such Terms and subject to such Conditions as it may deem fit.

48. In case any Company shall cease to be entitled to issue Mortgage Debentures under this Act, such Company shall nevertheless have the Powers and be subject to the Provisions of this Act with respect to all Mortgage Debentures then issued and outstanding; but no Mortgage Debentures shall be issued or renewed by such Company upon any Ground or Pretence whatever after it shall have ceased to be so entitled.

Company not to issue Mortgage Debentures on ceasing to be entitled to avail itself of Act.

49. In case any Company which shall not at the Time being be entitled to avail itself of the Provisions of this Act shall issue Mortgage Debentures under, or purporting to be under, the Provisions of this Act, or in case any Company entitled to avail itself of the Provisions of this Act shall at any Time issue Mortgage Debentures for an aggregate Principal Sum exceeding the Limit to which at the Time being they are entitled to issue, any Person who shall knowingly or wilfully be concerned in such Issue shall in every such Case forfeit the Sum of Five hundred Pounds.

Penalties in such Event.

50. Every Penalty herein-before provided may be sued for and recovered by any Person whosoever who will sue for the same by Action in any of the Superior Courts of Law in *England* or *Ireland* or *Scotland*, according as the Offence has been committed in either of those Parts of the United Kingdom, together with full Costs of Suit.

How Penalties may be recovered.

51. No Person, being the Registrar, Assistant Registrar, or other Officer or Servant of the Office of Land Registry, shall be liable to any Action, Suit, or other Proceeding, or any Claim or Demand, by reason of anything done *bonâ fide* by him in the Execution of this Act.

Registrar, &c. not personally liable for executing Act.

52. This Act shall not exempt the Company from the Provisions of any Act relating to Joint Stock Companies, and applicable to the Company.

Not exempt from Joint Stock Companies Acts.

53. In the Construction of this Act all Words meaning or applying to Individuals only shall apply, *mutatis mutandis*, to Corporations also.

Interpretation of Terms.

The SCHEDULE referred to in the foregoing Act.

FORM (A.)

FORM OF RETURN TO BE MADE BY THE COMPANY ON APPLICATION TO REGISTRAR TO REGISTER SECURITIES.

Date of Company's Mortgage or other Security and distinguishing Number of Letter.	Nature of Security, whether Mortgage, Grant of Annuity, Rent charge, or other Security	The Amount of Principal Money secured or, if Rentcharge or Annuity, the Amount and Duration thereof and the Annual or other Periodical Payment to be made on account thereof	Tenure whether Freehold, Copyhold, or Leasehold	If the Company's Charge is upon any of the Securities comprised in Section 5 (*a*), set out the Extent and Situation of the Property on which the Mortgage or other Security is charged, if Land, state the Acreage Parish and County, if Houses, state the Town Street, and No if any in addition to Parish and County	Nature of the Mortgagors' or Grantors' Interest therein	The Nature and Amount of the Prior Charges thereon (if any), if more than One Charge, set out each Charge separately.	If the Company's Charge is upon any of the Securities comprised in Section 5 (*b* and *c*) set out the Nature thereof, the Total Amount of the Principal Money originally advanced by the Company and the Amount unpaid at the Date hereof and the Authority, statutable or other under which the same is issued

We hereby certify that the above Return is correct.

A.B.
C.D.

FORM (B.)

FORM OF SURVEYOR'S OR VALUER'S DECLARATION.

[*Here insert a Copy of the Return to be made by the Company on Application to register Securities, distinguishing each Security by a separate Letter or Number.*]

I of do solemnly and sincerely declare, that the Information above contained with respect to the Security numbered or lettered is, to the best of my Information and Belief, correct, and that the Value of the Property above described (and, *if the Borrower's Interest is of a limited Nature*, the Value of the Borrower's Estate and Interest or the Property above described,) exceeds the Amount of £ , the Advance made by the Company in respect thereof (*if there are prior Charges*, and of the prior Charges thereon,) to the Extent of One Third at least of such Value.

[*A separate*

Mortgage Debentures.

[*A separate Declaration may be made in respect of each Security, and where the Mortgage or Charge is secured exclusively upon any of the Securities comprised in Sec.* 5 (b *and* c), *omit from the Word* "declare" *to the End, and insert* "to the best of my Information and Belief the Security above described, and numbered , is now of the Value of £ ."]

FORM (C.)

FORM OF QUARTERLY RETURN.

Mortgage Debenture Act, 1865.

The First Quarterly Return of the Company, with reference to the 30th Day of December 1865.

The registered Securities of the Company.

		£
1. Aggregate Securities under Clause 5—*a*	- -	150,000
2. Aggregate Securities under Clause 5—*b*	- -	20,000
3. Aggregate Securities under Clause 5—*c*	- -	10,000
		£ 180,000
4. Other Investments (to be specifically enumerated)	-	16,500
5. 40,000 Shares of £50 each held by registered Holders - - -	£ 2,000,000	
Paid up thereon - - -	200,000	
Remaining unpaid thereon - - -		£ 1,800,000

LIABILITIES.

Mortgage Debenture issued and in force.

No.	Date.	Yearly Rate per Cent. of Interest	Time for Repayment of Principal	Principal Sum secured.
				£
1	August 1, 1865	Four - - -	August 1, 1869	10,000
2	August 1, 1865	Four - - -	August 1, 1869	5,000
3	August 10, 1865	Three and Three Quarters	August 10, 1871	20,000
		and so on.		
			Total - £	

We hereby certify that the above Return is correct.

A.B.
C.D.

FORM

FORM (D.)

Form of Mortgage Debenture.

The Company.

Mortgage Debenture, No.

By virtue of the Mortgage Debenture Act, 1865, we, the Company, in consideration of £ paid to us by *A.B.* of , do hereby charge all the registered Securities of the Company with the Payment to the said *A.B.*, his Executors, Administrators, and Assigns, of the Sum of £ , and Interest thereon at the Rate of , which Sum of £ is to be paid and payable to the said *A.B.*, his Executors, Administrators, and Assigns, at the [*Place*], on the Day of with Interest on the same at the Rate of per Cent. per Annum, payable half-yearly, at said Place, on every Day of and Day of and we hereby undertake to pay said Sum of £ and Interest at the Rate aforesaid, as above mentioned.

Given under our Common Seal, this Day of

A.B., Director.

C.D., Director.

Countersigned, *G.F.*, Secretary.

Registered

FORM (E.)

Form of Transfer of Mortgage Debenture.

I *A.B.* of in consideration of £ [*state true Consideration*] hereby transfer to *C.D.* of his Executors, Administrators, and Assigns, the within Mortgage Debenture.

(Signed) *A.B.*

LONDON:

Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1865.

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VICTORIÆ REGINÆ.

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be charged to the Common Fund.

such Union in respect of Vaccination and Registration Fees and Expenses, shall be charged upon the Common Fund thereof.

Guardians in Unions may obtain Orders of Removal in respect of Paupers settled elsewhere.

2. When any Pauper relieved in any such Union shall be settled in any Parish situated in another Union or subject to a Board of Guardians, and shall not be exempt from Removal by reason of any Provision of the Law, the Guardians of the Union to which such Pauper shall be chargeable may obtain an Order of Removal addressed to the Guardians of the Union or Parish, or the Overseers of the Parish, as the Case may require, in which such Pauper shall be settled, and the Guardians of such last-mentioned Union or Parish shall receive such Pauper in like Manner and subject to the like Incidents and Consequences as in the Case of Orders of Removals heretofore obtained by Overseers, with such Modifications as may be necessary to meet the Circumstances of the Chargeability to the Union instead of the Parish.

Guardians may defend and may appeal against Orders of Removal.

3. The Guardians obtaining such Order may defend the same, and the Guardians upon whom it shall be made may appeal against the same, in like Manner and with the like Incidents and Consequences as in the Case of Orders obtained or appealed against by Overseers.

Provided that every Appeal now pending may be continued and determined as though this Act had not been passed.

Signature and Service of Notices and other Documents.

4. Every Notice, Statement, Demand, or other Document required to be given by any such Guardians in respect of any Order of Removal shall be deemed to be sufficiently authenticated if signed by their Clerk in their Name, and shall be deemed to be duly served upon the Guardians to whom it shall be addressed if it be delivered to their Clerk personally, or be left at his Office, or be sent through the Post addressed to him at such Office.

Guardians empowered to call for Books and Papers from the Overseers.

5. For better enabling the Guardians to obtain such Orders of Removal, or to appeal against the same, they may order the Overseers of the Poor, or any Officer or other Person having the Custody of any Books, Papers, Documents, or Writings of or belonging to any Parish in their Union, to produce the same, upon reasonable Notice to the Board of Guardians, or to their Clerk or other Person appointed by them, and shall allow Copies or Extracts to be taken therefrom for the Use of such Guardians, without Fee or Reward.

Guardians may remove without Orders where there is Consent.

6. Where the Guardians of any Union or Parish shall be satisfied that any Pauper is settled within and removable to their Union or Parish, and shall consent under their Common Seal to receive such Pauper without an Order of Removal, the Guardians seeking to remove such Pauper may do so without any such Order.

7. Any

7. Any Pauper removed under an Order of Removal obtained by the Guardians of any such Union returning to and becoming chargeable to such last-mentioned Union again within the Period of Twelve Months from such Removal, without the Consent of the Guardians thereof, shall be deemed to be an idle and disorderly Person within the Meaning of the Statute Fifth *George* the Fourth, Chapter Eighty-three, and be liable to be convicted and punished as such.

Penalty on Paupers removing after Order of Removal.

8. From and after the Twenty-fifth Day of *March* One thousand eight hundred and sixty-six, the Period of One Year shall be substituted for that of Three Years specified in the First Section of the Statute Twenty-fourth and Twenty-fifth of *Victoria*, Chapter Fifty-five.

One Year to be substituted for Three Years in Sect. 1. of 24 & 25 Vict. c. 55.

9. The Costs and Expenses lawfully incurred in and about the Prosecution of any Person for which the Guardians of the Union may be liable, or which they undertake to pay, under the Fifty-ninth Section of the Seventh and Eighth *Victoria*, Chapter One hundred and one, shall in all Cases be charged to the Common Fund.

Costs of Prosecutions to be charged to the Common Fund.

10. For the Purposes of the Burial of any poor Person dying in the Workhouse of any Union, such Workhouse shall be considered as situated in the Parish in the Union where such poor Person resided last, previously to his Removal to the Workhouse.

Provision for Deaths in the Workhouse.

11. The Poor Law Board shall, as soon as convenient, make all such Orders as may be requisite to render the Provisions of this Act applicable to the Proceedings and Accounts of the Guardians of Unions and of Overseers of Parishes comprised therein.

Poor Law Board to make all requisite Orders.

12. The Guardians shall distribute the Charges upon the Common Fund during and at the Close of every Half Year in the Proportions according to which the Orders for the Contributions to the Common Fund were made upon the several Parishes comprised in such Unions at the Commencement of such Half Year, notwithstanding the Change which may be made in the Valuation List of any Parish during such Period.

Computation of the Charges on the Common Fund.

13. Except as herein provided, no Alteration shall be made in respect of the Settlement of poor Persons in Parishes.

Saving of Settlements in other respects.

14. If in any Union or Incorporation for the Relief of the Poor, where the Cost thereof is not borne by a Common Fund, or where the Common Fund is not calculated upon an equal Basis throughout the Union or Incorporation, the Body having under the Constitution of such Union or Incorporation the Management of such Relief shall

Unions, &c. under Local Acts enabled to avail themselves of this Act.

shall be desirous of adopting the Provisions of this Act, such Body may, on a Resolution to that Effect of a Majority at Two successive Meetings, by Writing under the Hand of the presiding Chairman of the Second of such Meetings, apply to the Poor Law Board to be included in this Act; and, upon the Consent of that Board being given under its Seal to such Application, and subject to such Terms and Conditions as that Board may deem requisite, such Union or Incorporation shall be so included from such Time as the said Board shall declare; and such Consent so signified shall be Evidence that such Application was in all respects duly made according to the Provisions above mentioned.

Calls for Money in advance to be made on the Overseers of the several Parishes.

15. When this Act has been adopted by any such Union or Incorporation as aforesaid, and such Adoption has been legally brought into operation in such Union or Incorporation, the Body having the Management of the Relief of the Poor therein shall from Time to Time make Calls in advance for Money for the Relief of such Poor upon the Overseers of the several Parishes therein respectively, on the Basis of an equal Pound Rate on the annual Value of the Property in each Parish rateable to the Relief of the Poor according to the Law in force for the Time being, and shall have the same Powers of enforcing such Calls as they now possess under the Provisions of such Local Act for enforcing Calls or Rates for the Relief of the Poor; and such Overseers shall have the same Powers for making, levying, and enforcing Rates to meet and pay such Calls as they now possess, either under the Provisions of such Local Act or the General Law relating to the making, levying, and enforcing Rates for the Relief of the Poor.

Interpretation of Terms.

16. The Words herein used shall be interpreted in the Manner prescribed by the Statute of the Fourth and Fifth Years of *William* the Fourth, Chapter Seventy-six, and the subsequent Acts amending or explaining the same, and the Provisions in such Acts which apply to poor Persons rendered chargeable upon the Common Fund by reason of their having become irremoveable through the Operation of the Statutes in that Behalf shall apply to all the Poor in the Union hereby rendered chargeable upon the Common Fund.

Short Title.

17. This Act may be cited as "The Union Chargeability Act, 1865."

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

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C A P. LXXX.

An Act to explain and amend "The Lunatic Asylum Act, 1853," and "The Lunacy Act Amendment Act, 1862," with reference to Counties of Towns which have Courts of Quarter Sessions, but no Recorder. [29th *June* 1865.]

WHEREAS by "The Lunatic Asylum Act, 1853," County is defined to include a County of a City or County of a Town, and Borough is defined to mean every Borough, Town, and City Corporate having a Quarter Sessions, Recorder, and a Clerk of the Peace: And whereas by "The Lunacy Acts Amendment Act, 1862," it is provided that the Word "County" shall not, except in the Case of the City of *London*, mean a County of a City or County of a Town: And whereas certain Counties of Cities and Counties of Towns have Quarter Sessions and Clerks of the Peace, but no Recorders, wherefore the same do not come within the Provisions of "The Lunatic Asylum Act, 1853," and the Acts construed as One therewith: And whereas it is expedient to remedy such Defect: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of Word "County" in Lunatic Asylum Acts.

1. That the Word "County" in "The Lunatic Asylum Act, 1853," and the several Acts construed as One therewith, shall be construed to include every County of a City or County of a Town having Quarter Sessions and a Clerk of the Peace, and no Recorder.

Powers of Justices of such Counties.

2. The Justices of every County of a City or County of a Town having Quarter Sessions and a Clerk of the Peace, and no Recorder, shall have all the Powers and Authorities conferred on or given to the Justices of every Borough not having any Asylum by Section Seven of "The Lunatic Asylum Act, 1853," notwithstanding such County of a City or Town may have an Asylum of its own: Provided always, that it shall not be obligatory on any such County of a City or Town to keep up and maintain any such Asylum from and after or during such Time as it shall avail itself of the Provisions of the said Section.

This and recited Acts to be construed together.

3. This Act shall be construed as One with "The Lunatic Asylum Act, 1853," and several Acts construed as One therewith, and may be cited for all Purposes as "The Lunacy Act Amendment Act, 1865."

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said: And whereas it is expedient, under the Circumstances aforesaid, to remove all Doubts touching the Validity of the Marriages so solemnized in the said Church or Chapel: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Marriages heretofore solemnized in Chapel of St. James-the-Greater to be as valid as those in Lamborne Church.

1. All Marriages heretofore solemnized in the said Church or Chapel, by the Officiating Minister thereof or by any other Clergyman, respectively being duly ordained Ministers of the Church of *England*, and the Publication of Banns in such Church or Chapel by such Minister or Clergyman, previous to any such Marriages, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized and such Publication of Banns had taken place in the Parish Church of *Lamborne* aforesaid.

Minister officiating not liable to Censure.

2. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so solemnized the same respectively.

Registers of such Marriages to be Evidence.

3. The Registers of the Marriages so solemnized, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof, are by Law receivable in Evidence.

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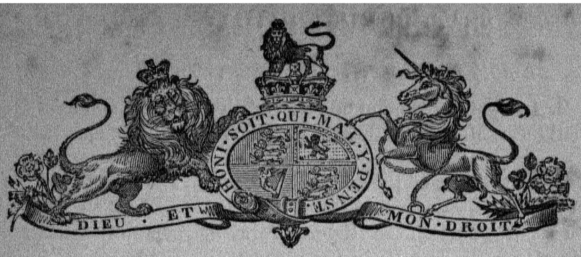

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CAP. LXXXII.

An Act to amend "The Endowment and Augmentation of Small Benefices (*Ireland*) Act, 1860."

[5th *July* 1865.]

WHEREAS by an Act passed in the Session of Parliament held in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, intituled "Endowment and Augmentation of Small Benefices Act (*Ireland*), 1860," Provision was made for the Augmentation of Small Benefices, and the Acquisition of Patronage thereby; and it is expedient that further Facilities should be given for the same Purposes, and that Provision should also be made authorizing the Payment of Fees for Church Offices performed in certain Benefices: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 23 & 24 Vict. c. 72.

1. This Act may be cited as "Endowment and Augmentation of Small Benefices Act (*Ireland*) Amendment Act, 1865," and shall with the said recited Act, herein-after called the original Act, constitute One Act. Short Title.

2. In

"Church Offices."

2. In the Construction of this Act the Words "Church Offices" shall mean Marriages, Burials, and Churchings.

Patronage, &c. of newly formed Benefice, on Endowment of 700*l.*, may be assigned to Contributor.

3. The Bishop of the Diocese may, at his absolute Discretion, by an Instrument under his Hand and Seal, which shall be filed in the Registry, assign the Right of Patronage of any Benefice formed out of One or more Parishes or Places, and the Nomination of the Incumbent thereof, either in perpetuity or for One or more Nominations, to any Body or Person, or their or his Nominee or Nominees, in consideration of such Body or Person contributing Money or other Property not less in Amount or Value than Seven hundred Pounds, to be invested or secured, according to the Directions of the Ecclesiastical Commissioners for *Ireland*, towards the permanent Endowment of such Benefice, or towards providing a Church or Chapel for the Use of the Inhabitants of the District; and until any such Assignment shall be made, and subject to it when made, the said Right of Patronage and Nomination shall be dealt with according to the Provisions of the Acts of the Fourteenth and Fifteenth Years of the Queen, Chapter Seventy-two, and the Twenty-third and Twenty-fourth Years of the Queen, Chapter Seventy-two.

Certain Provisions of original Act extended to Contracts.

4. The Provisions contained in the original Act or this Act for the Endowment and Assignment of the Advowson, Right of Patronage of or Nomination or Presentation to any Benefice, by the Ecclesiastical Person seised thereof, shall extend to a Contract for the like Purposes, whether entered into before or after such Benefice shall be fully constituted, or before or during the building of a Church for any such Benefice, or previous to or after the Consecration thereof, or previous to or after the Appointment of an Incumbent thereto.

Registration and Effect of Contracts.

5. The Contract shall be by Deed, and be entered in the Registry of the Diocese, and enrolled in the Rolls Office of the High Court of Chancery in *Ireland*, and thereupon such Contract, so far as it is in accordance with the Provisions of the original Act and not repugnant thereto, shall be binding upon the Parties to it, their Heirs, Executors, Administrators, and Successors in Office, and shall without any further Assignment, upon the Fulfilment of the Terms of the Contract and upon the Provisions of the original Act being complied with, absolutely vest the Patronage of the Benefice contracted for in the Nominees of the Person or Persons or Body endowing the same, in such Mode as may be provided by such Contract and be in accordance with the original Act: Provided always, that every such Contract shall, at the Expiration of Six Years

Years from its Date, be null and void, unless in the meantime the Provisions thereof for the Endowment of the Benefice shall have been fully performed.

Incumbent to have exclusive Cure of Souls.

6. When a Benefice has been endowed and the Patronage thereof vested or assigned under this or the original Act, the Incumbent of such Benefice shall have exclusive Cure of Souls within the same, and where formed out of any other Parish or Place shall not be in anywise subject to the Control or Interference of the Incumbent of the Mother Church of the Parish or Place out of which such Benefice shall be taken.

As to Money given in the Offertory.

7. The Money given in the Offertory of the Church of any Benefice of which the Patronage has been vested or assigned under this or the original Act, shall be disposed of by the Incumbent and Churchwardens of such Church in the same Manner as the Money given at the Offertory in any ancient Parish Church may be disposed of, any Law or Usage for the Payment of the same to a Mother Church notwithstanding.

Fees for Church Offices.

8. The accustomed Fees for the Performance of Church Offices in any Benefice formed out of another Parish or Place the Patronage of which has been acquired under this or the original Act, which would be payable for the like Offices had they been performed in the Mother Church of the Parish or Place out of which such Benefice shall have been taken, shall be payable and be paid to the Incumbent of the Benefice, and the several Laws, Statutes, and Customs in force relating to the Publication of Banns of Matrimony and to the Performance of Church Offices, and the registering thereof, and to the suing for and recovering of Fees, Oblations, or Offerings in respect thereof, shall apply to the Church of such Benefice and the Incumbent thereof.

Application of Fees.

9. Such Fees shall, where the Benefice has been formed out of another Parish or Place, belong to the Incumbent of the Mother Church during his Incumbency; and an Account of such Fees shall be kept by the Incumbent of the Benefice, who is hereby required to receive and every Six Months pay over the same (or such Proportion thereof as shall be payable) to the Incumbent of the Mother Church. And from and after the Avoidance of the original Mother Church next after the Formation of the Benefice such Fees shall belong and be paid to the Incumbent of the Benefice.

Bishop of Diocese to determine

10. Where any such Benefice, the Patronage of which is acquired under this or the original Act, shall be formed out of more Parishes than

Proportion of Fees, &c. in certain Cases.

than One, the Bishop of the Diocese shall, by Writing under his Hand, determine in what Proportion the Fees for Church Offices performed in the Benefice, and directed by this Act to be paid over to the Incumbent of the Mother Church, shall be divided between the Incumbents of such Parishes.

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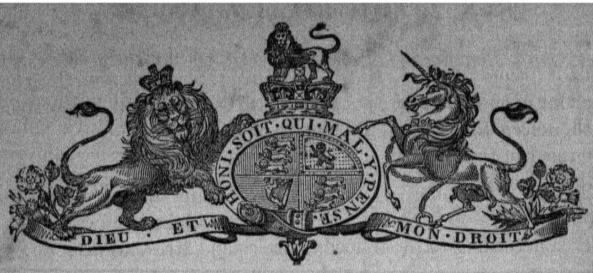

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Certain Sections of 24 & 25 Vict. c. 70. repealed.

2. After the Commencement of this Act, and so long as the same shall continue in force, the Fifth, Ninth, Eleventh, and Fifteenth Sections of the said recited Act, and all Orders made in pursuance of the said Fifth Section, are hereby repealed.

Rules for the Manner of working Locomotives on Turnpike Roads and Highways as herein stated.

3. Every Locomotive propelled by Steam or any other than Animal Power on any Turnpike Road or public Highway shall be worked according to the following Rules and Regulations; *viz.*

Firstly, at least Three Persons shall be employed to drive or conduct such Locomotive, and if more than Two Waggons or Carriages be attached thereto, an additional Person shall be employed, who shall take charge of such Waggons or Carriages:

Secondly, one of such Persons, while any Locomotive is in Motion, shall precede such Locomotive on Foot by not less than Sixty Yards, and shall carry a Red Flag constantly displayed, and shall warn the Riders and Drivers of Horses of the Approach of such Locomotives, and shall signal the Driver thereof when it shall be necessary to stop, and shall assist Horses, and Carriages drawn by Horses, passing the same:

Thirdly, the Drivers of such Locomotives shall give as much Space as possible for the passing of other Traffic:

Fourthly, the Whistle of such Locomotive shall not be sounded for any Purpose whatever; nor shall the Cylinder Taps be opened within Sight of any Person riding, driving, leading, or in charge of a Horse upon the Road; nor shall the Steam be allowed to attain a Pressure such as to exceed the Limit fixed by the Safety Valve, so that no Steam shall blow off when the Locomotive is upon the Road:

Fifthly, every such Locomotive shall be instantly stopped, on the Person preceding the same, or any other Person with a Horse, or Carriage drawn by a Horse, putting up his Hand as a Signal to require such Locomotive to be stopped:

Sixthly, any Person in charge of any such Locomotive shall provide Two efficient Lights to be affixed conspicuously, One at each Side on the Front of the same, between the Hours of One Hour after Sunset and One Hour before Sunrise:

Penalty on Non-compliance with Rules.

In the event of a Non-compliance with any of the Provisions of this Section, the Owner of the Locomotive shall, on summary Conviction thereof before Two Justices, be liable to a Penalty not exceeding

exceeding Ten Pounds; but it shall be lawful for such Owner, on proving that he has incurred such Penalty by reason of the Negligence or wilful Default of any Person in charge of or in attendance on such Locomotive, to recover summarily from such Person the whole or any Part of the Penalty he may have incurred as Owner.

Limit of Speed of Locomotives on Turnpike Roads and Highways.

4. Subject and without Prejudice to the Regulations herein-after authorized to be made by Local Authorities, it shall not be lawful to drive any such Locomotive along any Turnpike Road or public Highway at a greater Speed than Four Miles an Hour, or through any City, Town, or Village at a greater Speed than Two Miles an Hour; and any Person acting contrary thereto shall for every such Offence, on summary Conviction thereof, forfeit any Sum not exceeding Ten Pounds.

Size and Weight of Locomotives which may be used.

5. Subject to the Provisions of this Act, any Locomotive which shall not exceed Nine Feet in Width or Fourteen Tons in Weight may be used on any Turnpike Road or public Highway, provided that the Wheels of such Locomotive be constructed according to the Requirements of the said recited Act; and no Locomotive exceeding Nine Feet in Width or Fourteen Tons in Weight shall be used on any such Road, except subject to the Provisions contained in the Third Section of the said Act as to the Use of Locomotives exceeding Seven Feet in Width and Twelve Tons in Weight.

Restrictions as to the Use of Steam Engines within 25 Yards of Roads not to apply to Locomotives used for ploughing Purposes

6. Any Provision in any Act contained prohibiting, under Penalty, the Erection and Use of any Steam Engine, Gin, or other like Machine, or any Machinery attached thereto, within the Distance of Twenty-five Yards from any Part of any Turnpike Road, Highway, Carriageway, or Cartway, unless such Steam Engine, Gin, or other like Engine or Machinery be within some House or other Building, or behind some Wall, Fence, or Screen sufficient to conceal or screen the same from such Turnpike Road, Highway, Carriageway, or Cartway, shall not extend to prohibit the Use of any Locomotive Steam Engine for the Purpose of ploughing within such Distance of any such Turnpike Road, Highway, Carriageway, or Cartway, provided a Person shall be stationed in the Road, and employed to signal the Driver when it shall be necessary to stop, and to assist Horses, and Carriages drawn by Horses, passing the same, and provided the Driver of the Engine do stop in proper Time.

7. The

Name and Residence of Owner to be affixed to Locomotives.

7. The Name and Residence of the Owner of every Locomotive shall be affixed thereto in a conspicuous Manner. If it is not so affixed the Owner shall, on summary Conviction, be liable to a Penalty not exceeding Two Pounds.

Power to Local Authorities to make Orders as to Hours, &c. Locomotives may pass through Cities, &c.

8. The following Local Authorities, (that is to say,)

1. In the City of *London* and Liberties thereof, the Court of the Lord Mayor and Aldermen;
2. In the Metropolis, as defined by the Act of the Session of the Eighteenth and Nineteenth Years of Her present Majesty, Chapter One hundred and twenty (except the City of *London*), the Metropolitan Board of Works;
3. In any Borough in *England* the Population of which shall have exceeded Five thousand at the last Census, the Council of the Borough;
4. In any Borough or Town in *England* the Population of which shall have exceeded Five thousand at the last Census, not within the Jurisdiction of a Council, but within the Jurisdiction of any Trustees or Improvement Commissioners appointed under any Public or Private Act of Parliament, the Trustees or Commissioners;
5. In any Borough or Town in *Scotland* the Population of which shall have exceeded Ten thousand at the last Census, within the Jurisdiction of a Town Council, the Town Council, and in any such Town in *Scotland* not within the Jurisdiction of a Town Council, but subject to the Jurisdiction of Police Commissioners, or of Trustees exercising under any Public or Private Act of Parliament the Functions of Police Commissioners, the Police Commissioners, or, where there are no Police Commissioners, then the Trustees,—

Penalty on acting contrary to such Orders.

may make Orders as to the Hours during which (and as to the Speed, not in any Case to exceed Two Miles an Hour, at which,) Locomotives are to pass through the City or Place subject to their respective Jurisdictions; and any Person in charge of a Locomotive acting contrary to such Regulations shall, on summary Conviction, be liable to a Penalty not exceeding Ten Pounds:

Every Order made in pursuance of this Section shall be reduced into Writing, and shall have affixed thereto the Common Seal of the Local Authority, where they have a Common Seal, and shall be signed by the Members of the Local Authority, or any Two of them, where they have not a Common Seal:

A Copy

A Copy of such Order shall be affixed to some public Place within the Jurisdiction of the Local Authority, and advertised in some Newspaper circulating within the Jurisdiction of the Local Authority, and the Production of a Newspaper containing such Advertisement shall be Evidence of the Copy having been advertised in pursuance of this Act.

In Ireland the County Surveyor to be deemed the Conservator of the Roads in his County, and Proceedings for Damage to be taken in his Name.

9. For the Purposes of this Act, the County Surveyor of each County in *Ireland* shall be deemed to be the Conservator of all the Roads in the County of which he is Surveyor, made or repaired by Grand Jury Presentment; and it shall not be lawful to use any Locomotive, other than those specially authorized by this Act, on any such Road in any County in *Ireland*, without the Consent in Writing of the County Surveyor thereof, approved of by One or more Justices sitting at Petty Sessions; and all Compensation for Damage done by any Locomotive to any Bridge, Gullet, or Arch, or any of the Walls, Buttresses, or Supports thereof, on any such Road in any County in *Ireland*, shall be recoverable in the Name of the County Surveyor thereof, for and on behalf of the County, from the Party liable to pay the same, such Compensation, if not exceeding Ten Pounds, to be recovered in a summary Way by Summons at Petty Sessions, and if over Ten Pounds to be recovered by Process in the Civil Bill Court.

How Penalties to be recovered and applied in Ireland.

10. Every Penalty imposed by the Provisions of this Act shall, in *Ireland*, be recoverable before a Justice or Justices of the Peace in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same, and shall be applied according to the Provisions of "The Fines (*Ireland*) Act, 1851," and any Act amending the same.

Sect. 41. of 25 & 26 Vict. c. 93. not to be affected.

11. Nothing in this Act contained shall repeal, alter, or in any way affect the Provisions of the Forty-first Section of "The *Thames* Embankment Act, 1862."

Saving as to Actions at Law.

12. Nothing in this Act contained shall authorize any Person to use a Locomotive which may be so constructed or used as to be a public Nuisance at Common Law, and nothing herein contained shall affect the Right of any Person to recover Damages in respect of any Injury he may have sustained in consequence of the Use of a Locomotive.

13. This

Short Title. **13.** This Act may be cited as "The Locomotives Act, 1865;" and "The Locomotives Act, 1861," and this Act, shall be construed together as One Act.

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CAP. LXXXIV.

An Act to amend the Prisons (*Scotland*) Administration Act, 1860, and to explain the Fifty-second and Seventy-seventh Sections of the said Act.

[5th *July* 1865.]

WHEREAS an Act was passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and five, intituled *An Act to provide for the Management of the General Prison at* Perth, *and for the Administration of Local Prisons in* Scotland, and it is expedient that the said recited Act should be amended: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 23 & 24 Vict. c. 105.

1. The Thirty-third Section of the said recited Act is hereby repealed, and, instead thereof, be it enacted as follows: Sect. 33. of recited Act repealed, and Provision as to Building Assessment substituted.

At any Meeting to be held for that Purpose, which may be either the First Meeting of the Board after their Appointment or any other Meeting held not later than the Month of *September* thereafter, the County Board may impose an Assessment for the Purpose of defraying the Expenses of building, extending, altering, or repairing any

Local Prison within the County, or of acquiring Lands for such Purpose; and such Assessment shall be called the Building Assessment: Provided that no such Building Assessment shall exceed the Amount which, as set forth in the Twenty-first Annual Report of the General Board of Directors of Prisons, presented to both Houses of Parliament, was or might legally have been estimated for as a Building Fund before the Commencement of the said recited Act for such County, unless the same shall, in Terms of any Agreement or Minute to that Effect laid before the County Board, be consented to by the Commissioners of Supply of such County on behalf of the Landward Part thereof, and by the Town Councils of Burghs situated therein entitled to choose Members of the County Prison Board, on behalf of their respective Burghs, and it shall appear that the Persons on whose Behalf such Consent has been given shall have contributed or been liable to contribute not less than Three Fourths of the Assessments imposed on such County and the Burghs situated therein; and it shall be lawful for the Commissioners of Supply of each County and the Magistrates of each Burgh respectively to assess and levy such Building Assessment by Instalments over any Number of Years not exceeding Twenty Years, and to borrow Money on the Security of such Assessment, and to assign such Assessment in Security thereof.

Interpretation of Words in Sects. 52. and 77. of recited Act.

2. The Words "Sheriff Principal of the County of *Perth*" in the Fifty-second Section of the recited Act mean and shall be held to mean the Sheriff of the said County; and in construing the Seventy-seventh Section of the said recited Act the Expression "Lands adjoining" shall be deemed to include "Lands adjacent," and the Expression "enlarging" shall be deemed to include "improving" or "isolating."

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Courts, Justice of Peace Courts, and all other Courts of Law having only local Jurisdiction in *Scotland:*

"Procurators" shall include all Persons who have already been admitted as Procurators in any Sheriff Court in *Scotland*, or as Members of the Incorporated Society of Writers in *Dundee*, or who shall hereafter be admitted as Procurators under this Act:

"Sheriff" shall include Steward, but not Sheriff Substitute or Steward Substitute:

"Sheriff Clerk" shall mean Sheriff Clerk Depute as well as Sheriff Clerk, and shall include Steward Clerk and Steward Clerk Depute:

"County" shall include Stewartry.

No Person to act as a Procurator unless already or hereafter admitted pursuant to this Act.

2. No Person shall hereafter act or practise as a Procurator before any Inferior Court, or assume the Name or Title of Procurator, unless prior to the passing of this Act he shall have been duly admitted a Procurator, or unless subsequently to the passing of this Act he shall be admitted a Procurator pursuant to the Directions and Regulations of this Act.

Commissioners of Stamps not to issue Certificates except to qualified Persons.

3. From and after the passing of this Act, the Commissioners of Stamps and Taxes and their Officers shall, previous to issuing any stamped Certificate to any Person applying for the same who has not previously had issued to him a like Certificate, require Evidence that such Person is either a Writer to the Signet, or a Solicitor before the Supreme Courts, or a Notary Public, or that he has been admitted a Procurator.

Requisites to entitle Persons to be admitted.

4. No Person shall hereafter be deemed admissible as a Procurator unless he shall be of the full Age of Twenty-one Years, and shall have been bound under an Indenture in Writing to serve, except as herein-after provided, at least Four Years as an Apprentice to a Master declared by this Act to be competent, and shall have duly served his said Apprenticeship by personal Attendance in the Office of such Master or in the Office of some other Master to whom his Indenture may have been transferred, as herein-after provided, and unless he shall have been reported qualified for Admission after an Entrance Examination in manner herein-after specified: Provided always, that any Person who may before the passing of this Act have served, or may be at the Date thereof in course of serving, an Apprenticeship for a shorter Term than Four Years, in such Form as would have qualified him for Admission under the Provisions of the Act of Sederunt of the Lords of Council and Session, dated Tenth Day of *July* One thousand eight hundred and thirty-nine, Chapter Five, shall be deemed admissible, in so far as regards Apprenticeship, if he have served or shall serve,

serve, either as an Apprentice or Clerk to the same or some other competent Master, such further Term as may be sufficient along with his previous Service to complete the full Term of Four Years, and if he shall have been reported qualified as aforesaid, and such Service may be instructed by a Certificate under the Hand of such Master, or otherwise, as herein-after provided.

Requisites restricted in certain Cases.

5. Provided also, That any Person who shall have taken a Degree in Arts in any One of the Universities of *Great Britain* or *Ireland*, or who shall be a Member of any of the Councils of the *Scottish* Universities, shall be deemed admissible as a Procurator, in so far as regards Apprenticeship, if he shall have served an Apprenticeship under Indenture as aforesaid for the shorter Period of Three Years, and such Person shall not be obliged as a Part of his Entrance Examination to undergo an Examination in general Knowledge.

Who shall be deemed a competent Master.

6. In reference to all Apprenticeships and Clerkships to be entered into in Terms of this Act, any Writer to the Signet or Solicitor before the Supreme Courts, or Procurator or Sheriff Clerk, shall be deemed a competent Master in the Case of a Person seeking to qualify himself as a Procurator.

Provision in case Master of Persons entering into Apprenticeship, &c. dies.

7. In case any Master with whom any Person shall have entered into any Apprenticeship or Clerkship as aforesaid shall, during the Currency of the Term of such Apprenticeship or Clerkship, die or become bankrupt, or cease to practise, or be unable to continue to employ such Apprentice or Clerk, it shall be lawful for the Sheriff of the County or Sheriff Substitute of the County, Ward, District, or Division in which such Apprenticeship or Clerkship is being served, upon the Application of such Apprentice or Clerk, as the Case may be, to direct the Indenture or Agreement of Clerkship to be discharged, or to authorize the Term of Service to be completed with any other Master declared competent by this Act and named in such Application, without Prejudice to the voluntary Transfer of any Apprenticeship or Clerkship to a competent Master mutually agreed upon, and made in Writing.

One Year of Indenture under Procurator may be commuted into Clerkship.

8. Any Apprentice who, either before or after the passing of this Act, has entered into an Indenture for any Period exceeding Three Years, and who may be desirous of making himself acquainted with the Forms of Procedure in the Supreme Courts, or with the Mode of conducting Business in any County other than that in which he has bound himself to serve, may, in lieu of the last

Year

Year of his said Apprenticeship, with the Consent of his Master, substitute a Term of Service as Clerk for not less than One Year with a Writer to the Signet or Solicitor before the Supreme Courts, or with a Procurator practising in such other County, which Service as Clerk shall be equally effectual for the Purpose of Admission as if such Apprentice had completed the full Term of his Apprenticeship.

Indentures to be recorded and Service to be certified.

9. All Indentures which shall after the passing of this Act be entered into with the Intention of qualifying the Apprentice for Admission in Terms of this Act shall be recorded in the Register of Probative Writs of the County where the same shall have been entered into, within Six Months from the Date fixed therein for the Commencement of the Term of Apprenticeship, and upon the Expiration thereof such Indenture, with a Certificate endorsed thereon, under the Hand of the Master with whom such Apprenticeship was completed, setting forth that the Party has actually and *bonâ fide* served the Apprenticeship set forth in the Application for Admission as required by this Act, may be received as Evidence of such Apprenticeship having been duly served.

Agreements to serve as Clerk must be in Writing and proved.

10. No Service as Clerk, in Terms and for the Purposes of this Act, entered into after the passing thereof, shall be held a Qualification for Admission as aforesaid, unless the Agreement to serve as Clerk for a specified Time shall be entered into in Writing before the Commencement of Service; and the Production of a written Agreement, with a Certificate under the Hand of the Master of the Time having been actually and *bonâ fide* served by personal Attendance in his Office, may be received as Evidence of Service; provided that in case of the Death or Incapacity of the Master the Sheriff shall be entitled to receive such other Evidence of Service of Apprenticeship or Clerkship as shall seem to him reasonable and satisfactory.

Admission and Entrance Examination.

11. The Admission of Procurators shall as heretofore proceed on the Application of any duly qualified Person to the Sheriff of the County within which he wishes to practise; but such Applicant shall prior to Admission, except as herein-after provided, undergo an Entrance Examination in regard both to general Knowledge and to Law, and legal Training and Practice, on a Remit made by the Sheriff to the Examiners herein-after mentioned, and no further Procedure shall be had on such Application until the Applicant shall have been reported by the Examiners qualified for Admission: Provided always, that no Entrance Examination shall be required if the Applicant for Admission be a Writer to the Signet, or a Solicitor before the Supreme Courts, or hold a Degree of Bachelor of Laws granted by a *Scottish* University

University after the Twelfth Day of *July* Eighteen hundred and sixty-two; nor shall the Provisions of this Act in regard to the Term of Service apply to, nor shall any Entrance Examination in General Knowledge be required from, any Person who is under Indenture at the passing of this Act, or who may have completed the Term of Apprenticeship prior to the passing of this Act; provided also, that the Sheriff of any County to whom an Application for Admission shall be made by any Person who has been already admitted a Procurator in another Sheriff Court shall be entitled to admit the said Person, and also to dispense with such Entrance Examination, if he shall see fit, after hearing the Incorporated Faculty or Society of Procurators practising in the County, Ward, District, or Division in which such Application is made.

Mode of Admission.

12. On the Production of the Certificate of Apprenticeship or of Apprenticeship and Clerkship, as herein-before provided, and of a Certificate under the Hands of the Examiners of the Applicant being duly qualified in regard both to general Knowledge and to Law and legal Training, or of written Evidence that the Applicant falls within some of the Exceptions herein-before contained, the Sheriff may, unless he see Cause to the contrary, admit the Applicant as a Procurator in his Court, and such Admission shall qualify the Person admitted to practise therein and in all the other Inferior Courts held within the County; provided that where the Mode of admitting Procurators in any County is regulated by Royal Charter conferring exclusive Privileges on any Faculty or Society of Procurators practising in such County, or by any Usage following thereon, such Mode of Admission shall not be altered by anything in this Act contained without the express Consent of such Faculty or Society.

Names of Procurators to be registered.

13. The Sheriff Clerk of each County, or of each Ward, District, or Division, when a County is so divided, shall keep a Register in a separate Book, to be called the "Register of Procurators," in which he shall insert the Names of all such Persons then in Life as may have been duly admitted Procurators before the Sheriff Court of such County, Ward, District, or Division prior to the passing of this Act, and shall arrange such Names in the Order of the Dates of Admission of such Persons respectively, and likewise of every Person who shall subsequently to the passing of this Act be admitted a Procurator before such Court, pursuant to the Directions and Regulations herein contained, specifying in the Register the Date of such Admission, and shall, as Occasion requires, make the Alterations on said Register rendered necessary by Death or otherwise, and said Register shall be patent to all the Lieges, and an Extract therefrom

 subscribed

subscribed by the Sheriff Clerk, certifying the Admission of any Procurator, and specifying the Date thereof, and for which Extract a Fee of Two Shillings and Sixpence shall be payable, shall be sufficient Evidence of the Facts therein set forth.

Procurators may form Societies when Number is Ten or upwards.

14. In any County, Ward, District, or Division of a County in which there does not at the Date of the passing of this Act exist an Incorporated Faculty or Society of Procurators, it shall be lawful for the Procurators of such County, Ward, District, or Division, provided their Number exceeds Ten, voluntarily to form themselves into a Society, by the Assent given in Writing of at least Three Fourths of their Number, and on such Writing being recorded in the Court Books of the County, District, Division, or Ward, such Society shall *ipso facto* be held to be incorporated under such Name or Title as shall in such Writing be fixed, and shall include all the Procurators of such County, Ward, District, or Division, and thereafter such Faculty or Society shall have Power in its corporate Name to sue and be sued, and to acquire, hold, and transfer Property, heritable and moveable, and also from Time to Time to adopt such Constitution and Byelaws for the Management of the Affairs of the Society as the Sheriff of such County, Ward, District, or Division shall, on Application made to him, approve of, and shall possess such other Powers as by Law belong to an Incorporation.

How to be incorporated when Number less than Ten.

15. In the event of the Number of Procurators in any County, Ward, District, or Division being less than Ten but more than Three, it shall be competent to them, or to not less than Three Fourths of their Number, by their Assent given in Writing, to combine with the Procurators in any One or more Counties, Wards, Districts, or Divisions, to form themselves into a Society of Procurators under this Act, provided the aggregate of the whole shall be at least Ten; and on such Assent being given in Writing, and recorded in the Court Books of each of the said Counties, Wards, Districts, or Divisions, such Society shall in all respects, for the Purposes of this Act, be entitled to the same corporate Powers and Privileges as any other Society formed under this Act; or otherwise, in the event of no such Combination, the Procurators of any County, Ward, District, or Division whose Number is less than Ten shall be entitled individually to become Members of the Society of Procurators formed in any other County, Ward, District, or Division, in Terms of this Act, and who shall be willing to receive them, and they shall on being duly admitted become Members of said Society: Provided always, that in case of the Procurators in Two or more Counties combining to form a Society as aforesaid, the Sheriff of the County having the largest Number of Procurators at the Time such Society is formed shall alone

alone exercise the Functions which are conferred on Sheriffs by this Act in relation to such Societies.

16. Every Faculty or Society of Procurators already incorporated, or which shall after the passing of this Act be incorporated, in Terms thereof, shall from Time to Time, subject to the Approval of the Sheriff, issue Regulations for the preliminary Examination in the Elements of general Knowledge of Persons desirous of entering into Indentures of Apprenticeship with any Procurator of their Court or the Sheriff's Clerk, and without such Examination, and the Person undergoing the same being reported qualified, such Indenture shall be of no Force or Effect for the Purpose of Admission as aforesaid; and such Society may also, if it sees fit, subject in like Manner to the Approval of the Sheriff, impose a Curriculum of legal Study on the Apprentices serving their Time to the Members of such Faculty or Society, and may institute compulsory Examinations in Law and in legal Training and Practice of such Apprentices at the End of the Second, Third, and Fourth Years of their Apprenticeship, under such Regulations as to extending the Period of Apprenticeship, in case of Failure satisfactorily to undergo such Examinations, as may be established by and under Authority of the General Council herein-after appointed; and any Society hereafter to be incorporated may establish a Fund for the Benefit of indigent Members and of the Widows and Children of Members, and provide for the Use of the Members of the Society a Law Library, to be managed in such Manner as may be settled by the Byelaws, and for these and other Purposes may exact Payment of such Entrance Fees from Parties applying to be admitted as Procurators, and such annual Contribution from each Member of the Society, as may from Time to Time be fixed by the Society, and be approved of by the Sheriff as aforesaid; and in Counties where no such Society exists it shall be in the Power of the Sheriff to order and enforce the preliminary and intermediate Examinations aforesaid.

Powers of incorporated Faculties and Societies.

17. The Dean, President, or other chief Office Bearer of each of the several Faculties or Societies of Procurators already incorporated, or which shall after the passing of this Act be incorporated, in Terms thereof, or in his Absence the Sub-Dean, Vice President, or other Member of such Faculty or Society elected to act in his Place, shall form a General Council of Procurators for the Purpose of exercising the Powers conferred upon them by this Act, and shall meet at least once in each Year at such Time and Place as may be fixed in manner herein-after provided, any Five Members of such General Council being a Quorum.

General Council.

18. The

General Council to meet and frame Byelaws.

18. The First Meeting of such General Council shall be held at *Edinburgh* on *Monday* the Thirtieth Day of *October* One thousand eight hundred and sixty-five, at One o'Clock, within the Sheriff Court-house, and the Members present, after choosing an interim Chairman, shall appoint a Committee of their Number to frame a Draft of the Byelaws herein-after mentioned, with Instructions to report such Draft to an adjourned Meeting, to be held at a Time and Place to be then fixed; and it shall be lawful for such adjourned Meeting, or any other Meeting held by Adjournment, to adopt the said Byelaws, with or without Amendments.

Office Bearers and Time and Place of future Meetings to be appointed.

19. The Byelaws to be so framed and adopted shall provide for the yearly Appointment of Office Bearers, and in particular of a President, and for the Time and Place of all Meetings of the General Council and Office Bearers, and for the Mode of calling the same, and for all other Regulations necessary for beneficially transacting the Business committed to the General Council by this Act, and for the future Amendment of such Byelaws, if necessary.

Power to General Council to prescribe a Curriculum of legal Study, and frame Regulations as to Subjects, &c.

20. The General Council shall prescribe a Curriculum of legal Study for Persons intending to apply for Admission as Procurators, and shall by themselves, or by One or more Committees of their Number, and with such Assistance as the Council may see fit to appoint, act as Examiners of Persons applying for Admission as Procurators, and shall as soon as may be after the passing of this Act frame Regulations as to the Subjects both in general Knowledge and Law, and legal Training and Practice, in which all Persons applying for Admission after a certain Date to be therein fixed shall be examined as herein-before provided, in order to ascertain that they are in these respects qualified for Admission, and also Regulations as to extending the Period of Apprenticeship of Apprentices failing to undergo satisfactorily the compulsory Examinations herein-before provided, and may, if need be, vary such Curriculum and Regulations to suit the peculiar Circumstances of any County, and may also from Time to Time thereafter alter and amend such Regulations respectively.

Such Regulations to be submitted to Sheriffs convened as by 1 & 2 Vict. c. 119. and approved by Lord President, Lord Justice Clerk, and

21. The Curriculum, Regulations, and Byelaws to be framed by the General Council as aforesaid, or any future Alterations or Amendments thereof, shall be of no Force or Effect unless the same have been submitted to the Sheriffs of *Scotland* convened as directed by the Act First and Second *Victoria*, Chapter One hundred and nineteen, Section Thirty-two, and reported on by the Meeting so convened, or any adjourned Meeting of the Sheriffs, to the Lord President of the Court of Session, the Lord Justice Clerk, and the

the other Judges of the Court of Session, and have been approved of by them, and until the said Regulations are so approved of the Rules in operation in each County, Ward, or District for the Examination of Persons applying for Admission shall continue in force.

Judges of the Court of Session.

22. The General Council shall also from Time to Time fix the Times and Places at which such Examinations may most conveniently be conducted, and shall also, subject to the Approval aforesaid, fix the Fees to be paid by the Applicants to defray the Expense of such Examinations and the Application of the Fees so paid.

General Council to fix Time and Place and Fees of Examinations.

23. The General Council may, from Time to Time, exact such Contributions from the various Faculties and Societies already incorporated, or to be incorporated under this Act, as shall be required for the necessary Expenditure of the General Council and Office Bearers thereof, and that as nearly as may be in proportion to the Numbers of Members of such Faculties or Societies, and may recover Payment of such Contributions by Action at Law, to be brought in Name of their President or of any of their Office Bearers whom they may appoint for that Purpose, an Account of which Contributions and Expenditure shall be made up annually, and Copies transmitted to the Dean, President, or other chief Officer of every such Faculty or Society.

Expenses of General Council how to be provided for.

24. No Person who has been admitted a Procurator in Terms of this Act shall be liable to have his Admission challenged or set aside on any Ground except Fraud; reserving, nevertheless, to and empowering the Sheriff of each County, Ward, District, or Division as aforesaid, on a written Complaint made and Cause shown to him by any incorporated Faculty or Society of Procurators practising in his Court, and where there is no such Faculty or Society then by any Three or more Procurators practising in such Court, to call before him, on Six Days Induciæ, and thereafter, whether with or without Compearance, to suspend from Practice, or to strike off the Register, the Name of any Procurator registered in his Court whom he may deem guilty of gross Misconduct, which Sentence shall contain within itself a Statement of the Facts and Grounds on which it proceeded, and shall be subject to Review and Stay of Execution only by Petition of Appeal, to be presented, within Six Months from the Date of such Sentence, to the Inner House of the Court of Session sitting in either Division, who may hear any Person interested thereon, and may confirm or reverse

How Procurator may be suspended from Practice or struck off Register.

reverse the Sentence of the Sheriff, with or without further Inquiry, without Prejudice to the Sheriff and Sheriff Substitute exercising all Powers competent to them at Common Law in such Matters.

Power to Procurators to complain to the Sheriff of unqualified Procurators.

Penalty on Procurator lending his Name to unqualified Persons.

25. Any Procurator shall be entitled to complain to the Sheriff in whose Court he is entitled to practise against any Person practising in such Court who is not a Procurator thereof; and the Sheriff shall, on such Complaint being proved to his Satisfaction, interdict such Person from Practice; and any Procurator who shall knowingly and wilfully lend his Name to enable any Person who is not a Procurator to practise as such may, on a Complaint made as aforesaid, be summarily suspended from Practice or struck off the Register, and the Sentence of the Sheriff in either Case shall be subject to Review and Stay of Execution only in manner foresaid.

Effects of Sheriff's Sentence.

26. The Sentence of any Sheriff striking a Procurator off the Register shall entitle any incorporated Faculty or Society as aforesaid of which he is a Member to expel him from the Body, and he shall thereupon forfeit all his Rights and Privileges as a Member thereof, except his Right to a Share of any Fund for behoof of Widows or Children: Provided that during the Period allowed for Appeal as aforesaid, and during the Dependence of such Appeal, the Party against whom the Sheriff's Sentence shall stand shall be disabled from exercising any of the Rights, Functions, and Privileges of a Procurator.

Nothing to prejudice Privileges of certain public Bodies.

Power to Faculty, &c. to make Bye-laws, and to alter its Name.

27. Nothing in this Act contained shall be held to limit or prejudice the Rights and Privileges of the following public Bodies; that is to say, the Society of Writers to Her Majesty's Signet, the Society of Solicitors in the Supreme Courts, the Society of Solicitors at Law, *Edinburgh*, the Faculty of Procurators in *Glasgow*, the Faculty of Procurators in *Paisley*, or the Society of Advocates in *Aberdeen*, or any other such Faculty or Society holding a Royal Charter: Provided always, that it shall be competent to any Faculty or Society of Procurators incorporated before the passing of this Act, notwithstanding the Terms of their Charter, to pass such Bye-laws as may be necessary to assimilate, in whole or in part, the Conditions and Mode of Admission to the Privileges of their Incorporation to the Provisions of this Act; provided also, that it shall be competent to any such Faculty or Society of Procurators, if they shall so desire, by the Assent given in Writing of at least Three Fourths of the Members registered as herein-before provided, and on the Register at the Time, to alter its Name or Title without Prejudice to its existing Powers and Privileges.

28. Nothing

28. Nothing in this Act contained shall be held to repeal the Privileges conferred by former Acts of Parliament on Persons who may be qualified to practise as Agents in the Court of Session of practising in certain Cases before the Sheriff Courts of *Scotland*, or to prejudice or affect the Rights or Privileges of any Person appointed to be Solicitor or Attorney on behalf of Her Majesty, under the Orders or Directions of the Commissioners of the Treasury, Customs, Inland Revenue, or under the Orders or Directions of any Commissioners or other Persons or Person having the Management of any other Branch of Her Majesty's Revenue for the Time being, or under the Authority of any Act of Parliament, or of any Person now holding or who may hereafter be appointed to the Office of Procurator Fiscal in any Inferior Court. Saving Rights of certain Persons.

29. Nothing in this Act contained shall prejudice the Rights and Privileges of Notaries Public, or affect the Manner of their Admission to Office. Saving Rights of Notaries Public.

30. This Act may be cited as "The Procurators (*Scotland*) Act, 1865." Short Title.

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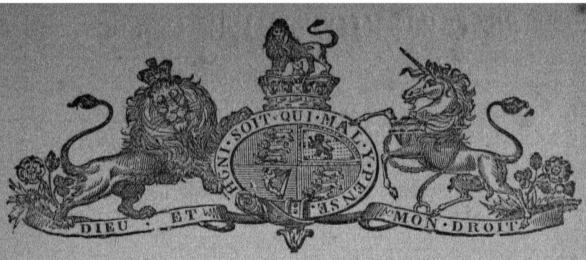

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Certain Annuitants not to be deemed Partners.

3. No Person being the Widow or Child of the deceased Partner of a Trader, and receiving by way of Annuity a Portion of the Profits made by such Trader in his Business, shall, by reason only of such Receipt, be deemed to be a Partner of or to be subject to any Liabilities incurred by such Trader.

Receipt of Profits in consideration of Sale of Goodwill not to make the Seller a Partner.

4. No Person receiving by way of Annuity or otherwise a Portion of the Profits of any Business, in consideration of the Sale by him of the Goodwill of such Business, shall, by reason only of such Receipt, be deemed to be a Partner of or be subject to the Liabilities of the Person carrying on such Business.

In case of Bankruptcy, &c., Lender not to rank with other Creditors.

5. In the event of any such Trader as aforesaid being adjudged a Bankrupt, or taking the Benefit of any Act for the Relief of Insolvent Debtors, or entering into an Arrangement to pay his Creditors less than Twenty Shillings in the Pound, or dying in insolvent Circumstances, the Lender of any such Loan as aforesaid shall not be entitled to recover any Portion of his Principal, or of the Profits or Interest payable in respect of such Loan, nor shall any such Vendor of a Goodwill as aforesaid be entitled to recover any such Profits as aforesaid until the Claims of the other Creditors of the said Trader for valuable Consideration in Money or Money's Worth have been satisfied.

Interpretation of "Person."

6. In the Construction of this Act the Word "Person" shall include a Partnership Firm, a Joint Stock Company, and a Corporation.

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CAP. LXXXVII.

An Act to enable Her Majesty's Postmaster General to acquire a Site for the Extension of the General Post Office in *St. Martin's-le-Grand* in the City of *London*. [5th *July* 1865.]

WHEREAS the General Post Office situate in the Street called *St. Martin's-le-Grand* in the City of *London* affords inadequate Accommodation for the Purposes of the Public Service, and it is expedient that additional Buildings should be erected for such Purposes on Land situate in the City of *London*, to be acquired and appropriated by Her Majesty's Postmaster General as herein-after mentioned: And whereas Maps or Plans describing the Lands to be acquired by Her Majesty's Postmaster General under the Authority of this Act, with a Book of Reference to the same Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the same Lands, have been deposited at the Office of the Clerk of the Peace for the City of *London*, and the same are herein-after referred to as the deposited Plans and Book of Reference: May it therefore please Your Majesty that it may be enacted; and be it enacted by the

Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Post Office Extension Act, 1865."

Power to purchase Land.

2. It shall be lawful for Her Majesty's Postmaster General and he is hereby authorized, out of any Monies which have been or which may from Time to Time be appropriated by Parliament and put at his Disposal for that Purpose, to purchase for the Purposes of this Act the whole or such Parts as he shall think fit of the Lands in the Parishes of *Christchurch, Saint Ann and Agnes, Saint John Zachary, Saint Vedast Foster, Saint Michael-le-Querne,* and *Saint Leonard, Foster Lane,* in the City of *London,* shown on the deposited Plans, and specified in the deposited Book of Reference, except the Streets therein described as *Saint Martin's-le-Grand, Newgate Street, Bath Street,* and *Angel Street,* and except that Portion lately thrown into *Newgate Street* and now forming Part of the same, and all Lands so purchased shall be vested in and held by Her Majesty's Postmaster General (in his corporate Capacity) and his Successors in trust for Her Majesty, Her Heirs and Successors.

Power to stop up Streets within Boundary of Land purchased.

3. From and after the Time of the Purchase of such Lands it shall be lawful for Her Majesty's Postmaster General to stop up and appropriate for the Purposes of this Act all Ways, Paths, Streets, Passages, and public Places situate within the outward Boundaries of the Lands herein-before authorized to be purchased by him as aforesaid; and the Ground and Soil of all such Ways, Paths, Streets, Passages, and public Places, and the Fee Simple and Inheritance thereof, shall be vested in Her Majesty's Postmaster General (in his corporate Capacity) and his Successors in trust for Her Majesty, Her Heirs and Successors: Provided always, that no Part of *Bath Street, Newgate Street, St. Martin's-le-Grand,* or *Angel Street* as they now exist shall be stopped up.

Power to pull down Buildings on Land purchased, and build others.

4. It shall be lawful for Her Majesty's Postmaster General to pull down and remove all Buildings now being on the Lands to be purchased by him under the Authority of this Act, and to appropriate all Lands which are or shall be vested in him by or under the Authority of this Act as a Site for the Erection of Buildings for the Public Service, and for the Formation of convenient Approaches to such Buildings, and thereon to construct such Buildings and Works, and do all such other things, as in his Opinion shall be necessary or expedient in order to carry into effect the Purposes of this Act, or any of them.

5. Her

5. Her Majesty's Postmaster General is hereby empowered, with the Consent of the Commissioners of Sewers of the City of *London*, but not otherwise, to raise or lower the Ground of any Streets or Ways which shall communicate with the Buildings so to be erected as aforesaid, or any Part thereof respectively, making such Compensation to the Owners of Houses or other Property injured by such Alterations as shall be agreed on between the Parties, or failing Agreement as shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845."

Power to raise and lower Streets.

6. It shall be lawful for Her Majesty's Postmaster General to purchase, take, and use for the Purposes of this Act any Lands, except as aforesaid, purporting to be delineated on the said deposited Plans as intended to be taken for the Purposes of this Act, although such Lands, or the Name or Names of the Owner, Lessee, or Occupier thereof, may happen to be erroneously stated in or may be omitted from the said deposited Book of Reference, in case it shall appear to any Two or more of the Aldermen of the City of *London*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information

Lands may be taken notwithstanding Errors in Book of Reference.

7. It shall be lawful for Her Majesty's Postmaster General, and for his Surveyors, Officers, and Workmen, at all reasonable Times in the Daytime, upon giving for the first Time Twenty-four Hours and afterwards from Time to Time Twelve Hours previous Notice, to enter into and upon all or any of the Lands authorized to be taken and used as aforesaid for the Purpose of surveying or valuing the same.

Power to Postmaster General to enter Lands for the Purpose of surveying.

8. When any of the Works to be executed by virtue of this Act shall pass over, under, or pass by the Side of, so as to damage or interfere with, any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction of the Commissioners of Sewers of the City of *London*, or with any Sewers or Works to be made or executed by the said Commissioners, such Works so to be executed by the Postmaster General in pursuance of this Act shall be so carried out under the following Conditions:

For the Protection of Sewers in the City of London

(1.) Before commencing such Work Her Majesty's Postmaster General shall give the Engineer or Surveyor of the said Commissioners Twenty-eight Days Notice in Writing of his Intention to commence such Works; and with such Notice shall be left a Plan and Section showing the Course and Inclination of such proposed Works:

(2.) In

(2.) In case the Commissioners of Sewers shall require any Alteration to be made therein they shall give, before the Expiration of the said Twenty-eight Days, Twenty-eight Days written Notice of such Requirement to Her Majesty's Postmaster General; and the Postmaster General shall, subject to the Provisions herein-after stated with respect to Arbitration, comply therewith:

(3.) The Alterations so required by the said Commissioners shall be executed by or under the Superintendence and Control of the Engineer or Surveyor or other Officer of the said Commissioners:

(4.) All reasonable Costs, Charges, and Expenses which the said Commissioners may be put to or incur in the Execution of such Alterations shall be paid to the said Commissioners by Her Majesty's Postmaster General for the Time being:

(5.) In case of Disputes between Her Majesty's Postmaster General and the said Commissioners of Sewers either as to the Alterations required by such Commissioners, or as to the Costs, Charges, and Expenses of such Alterations, or any other Matter or Thing relating thereto, the same shall be settled by an Arbitrator to be agreed upon by Her Majesty's Postmaster General and the said Commissioners of Sewers, or failing such Agreement by an Arbitrator to be appointed by the Board of Trade:

(6.) Any Works, whether altered or substituted, or any Defence connected with such Works, whether altered or substituted, shall be as fully and completely under the Jurisdiction and Control of the said Commissioners as any Sewers or Works now are.

New Buildings not to be erected beyond a certain Line in Newgate Street.

9. Any Land abutting on *Newgate Street* which Her Majesty's Postmaster General may acquire under this Act shall not be built on beyond the Line laid down by the Commissioners of Sewers in the Improvements they have recently made in that Street, but the Postmaster General shall be compensated for any Land he may have purchased or taken under the Provisions of this Act between the present Line of the Buildings numbered 19 to 23 on the deposited Plan and the Line so laid down by such Commissioners; the Amount of such Compensation to be agreed upon between the Parties, or failing Agreement to be determined in the Manner provided by the Lands Clauses Consolidation Act, 1845; provided that such Compensation shall be estimated on the Land alone, apart from any Buildings which may be or may have been thereon.

Bath Street to be continued to

10. If the Postmaster General shall at any Time purchase or require under the Provisions of this Act the Lands or Buildings numbered

numbered 14 and 16 on the deposited Plan he shall, at the Expense of the Post Office, continue *Bath Street* until it forms a Junction with *Angel Street*, and such Continuation shall not be less than Twenty Feet in Width.

Angel Street under a certain Contingency.

11. Her Majesty's Postmaster General shall not break up or disturb any Street or Place, or the Pavement thereof, under the Control or Direction of the Commissioners of Sewers of the City of *London*, unless at least Twenty-eight Days previous Notice in Writing of his Intention so to do, specifying the Street, Place, or Pavement intended to be broken up or disturbed, be given to the Engineer or Surveyor of such Commissioners, or left for him at his Office or at the Office of such Commissioners, and Her Majesty's Postmaster General shall attend to the Directions of such Engineer or Surveyor with a view to secure a free Passage of Traffic in such Streets and Places, and to prevent needless Injury to the Street, and shall not open more of such Streets or Places at one Time than such Engineer or Surveyor shall in Writing authorize; and when Her Majesty's Postmaster General shall break up or disturb any such Street, Place, or Pavement, he shall so soon as the Works affecting it are completed, and at the furthest within Three Months, or such extended Period as may be agreed upon between Her Majesty's Postmaster General and such Commissioners, from the Day on which those Works were begun, restore the Street, Place, or Pavement to as good a Condition as it was in when it was broken up or disturbed under the Superintendence and to the reasonable Satisfaction of the Engineer or Surveyor of the Commissioners, and Her Majesty's Postmaster General shall save harmless and keep indemnified the said Commissioners and their Successors against any Expenses consequent on any such Works: Provided always, that in the event of Difference arising between Her Majesty's Postmaster General and the Commissioners as to any Matter or Thing in this Clause contained, the same shall be determined by an Arbitrator to be mutually agreed upon, or failing such Agreement by an Arbitrator to be named by the Board of Trade.

For the Protection of the Streets of the City of London.

12. All Lands purchased by Her Majesty's Postmaster General in pursuance of this Act which were at the Time of such Purchase subject to Land Tax, to Poor or other Rates, shall continue liable thereto, but they shall not be assessed to any Tax or Rate at a higher rateable Value than that at which they were assessed at the Time of the passing of this Act.

Lands purchased to continue subject to Land Tax and Rates.

13. Her Majesty's Postmaster General shall pay an annual Sum to each of the herein-after mentioned Persons; that is to say, the

Postmaster General to pay to

Incumbents herein named Compensation for Loss of Easter Offerings, &c.

Rectors or Incumbents of the Parishes of *Christchurch*, *Saint Ann and Agnes*, *Saint John Zachary*, *Saint Vedast Foster*, *Saint Michael-le-Querne*, and *Saint Leonard*, *Foster Lane*, by way of Compensation for the Loss of all such *Easter* Dues, Oblations, Surplice Fees, or other customary Payments that may be taken away in consequence of carrying into effect the Purposes of this Act; such Payments shall be made half-yearly on the First Day of *January* and the First Day of *July* in each Year; the Amount so payable to each Person shall be calculated on an Average of the Amount received by him in respect of the said customary Payments on an Average of the Three Years immediately preceding the passing of this Act; and in the event of Difference as to any such Payment or any fractional Part thereof, the same shall be definitely settled by an Arbitrator to be appointed by Her Majesty's Attorney General for the Time being: Provided that nothing in this Act contained shall prejudice the Right of any Rector, Impropriator, or other Person to any Tithe or Rentcharge in lieu thereof, or other Compensation in respect thereof, charged upon or payable out of any Lands purchased in pursuance of this Act, or for the Purposes thereof.

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

14. "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and Additions, and subject to the Provisions, hereinafter contained; (that is to say,)

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be "the Special Act," and Her Majesty's Postmaster General shall be deemed to be the Promoter of the Undertaking:

(3.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of Her Majesty's Postmaster General, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

15. In

General Post Office (Additional Site).

15. In every Case in which any Question of disputed Compensation may be required to be determined by the Verdict of a Jury in the City of *London* or the Liberties thereof, the Jury shall be required to appear before the Court of the Lord Mayor and Aldermen of the City of *London* to be holden in the Outer Chamber of the Guildhall of the said City according to the Custom of the said City at a Time to be appointed by the said Court; and all the Directions and Provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, shall extend and be applied with respect to the Settlement of any such Question of disputed Compensation under this Act by Juries appearing before the said Court of Mayor and Aldermen as aforesaid; and the said Court shall give Judgment for the Purchase Money or Compensation assessed by such Jury, and a Verdict and Judgment shall be signed by the Registrar of the said Court of Mayor and Aldermen, and entered among the Records of the said Court, and the said Registrar shall settle the Costs of every such Inquiry.

Questions of disputed Compensation to be heard in Lord Mayor's Court.

16. Subject to the Provisions of this Act, upon the Purchase by Her Majesty's Postmaster General of the Lands hereinbefore authorized to be purchased by him, or any Part thereof, all Rights of Way, Rights of laying down or continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Lands or Part thereof, shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest in Her Majesty's Postmaster General, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from Her Majesty's Postmaster General such Compensation, if any, as they may be entitled to under the Provisions of "The Lands Clauses Consolidation Act, 1845," for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said Lands Clauses Consolidation Act, 1845.

Extinction of Rights of Way and other Easements.

17. All Claims for Compensation made upon Her Majesty's Postmaster General under the Provisions of this Act, or any Act incorporated herewith, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the 121st Section of "The Lands Clauses Consolidation Act, 1845."

As to Claims for Compensation by Tenants from Year to Year.

18. The

Time for compulsory Purchases limited.

18. The Limit of Time for the compulsory Purchase of Lands under this Act shall be Three Years.

Arrangements with Pneumatic Despatch Company.

19. If Her Majesty's Postmaster General shall purchase the Lands and Houses at the Corner of *Newgate Street* and *Saint Martin's-le-Grand*, then and in such Case he shall forthwith grant to the Pneumatic Despatch Company (Limited), for the Purposes of laying and maintaining their Tubes and Apparatus, and of receiving Traffic from the Public, in accordance with the Provisions of the Pneumatic Despatch Act, 1864, the Use during the Continuance and Working of such Company of such an Area of the Basement of those Houses as may be required by the said Company, not exceeding Eighty Feet in Length from East to West, and Thirty-five Feet in Breadth from North to South, and of a Height sufficient for the convenient Use during such Continuance aforesaid of the said Tubes, Apparatus, and their other Purposes aforesaid, with a proper and convenient Access thereto from the Street, and also the Use during such Continuance of an Office on the Ground Floor of One of such Houses, or the Buildings to be erected in lieu thereof, of Twenty Feet by Thirty Feet in Area abutting on the Street, and of a convenient and suitable Height for the Purposes aforesaid, and the Company shall pay for such Use such an annual Rent as may be settled in case of Difference by an Arbitrator to be agreed on between the Parties, or in default of Agreement to be appointed by the Board of Trade; and from and after such Purchase and Grant as aforesaid the Powers given to the Pneumatic Despatch Company for the Purchase of the Lands and Houses in the Parish of *Christchurch* at the Corner of *Newgate Street* and *Saint Martin's-le-Grand* by the Pneumatic Despatch Company's (Limited) Act, 1864, shall cease and determine: Provided always, that in case Her Majesty's Postmaster General shall not within Three Months after the passing of this Act exercise the Power of purchasing the said Lands and Houses at the Corner of *Newgate Street* and *Saint Martin's-le-Grand* aforesaid, nothing in this Act contained shall take away, lessen, or impair the Powers vested in the said Pneumatic Despatch Company by their said Act of 1864 to enter upon, purchase, and hold any of the Lands and Houses in the Parish of *Christchurch* contained in the deposited Plans and Book of Reference of their said Act of 1864.

Disputes between Postmaster General and Pneumatic Despatch Company to

20. If any Disputes arise between the Postmaster General and the Pneumatic Despatch Company with reference to anything contained in this Act, or to any Rights acquired or to be acquired under it by the Parties respectively, the same, in case of Difference, shall be determined by an Arbitrator to be agreed upon between the

the Parties, or failing Agreement to be appointed by the Board of Trade.

be settled by Arbitration.

21. And whereas the Mayor and Commonalty and Citizens of the City of *London* have vested in them the legal Estate of certain Lands which were purchased by them for the Purpose of forming a Site for the said General Post Office in *Saint Martin's-le-Grand*, and for other Purposes connected therewith: And whereas the Purchase Money for the said Lands was in part supplied by the said Mayor and Commonalty and Citizens, and in part by the Postmaster General, who on behalf of Her Majesty has an equitable Interest in such Lands: And whereas it is desirable that the Interest of the Postmaster General in such Lands should be realized: Be it therefore enacted, That Her Majesty's Postmaster General may, with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, or any Two of them, (such Consent or Approbation to be certified by One of the Secretaries or Assistant Secretaries of the Treasury by Writing under his Hand,) at a Price to be agreed on between the said Postmaster General and the said Mayor and Commonalty and Citizens, sell, convey, and release to the said Mayor and Commonalty and Citizens all Right, Title, and Interest of Her Majesty and the Postmaster General in the said Lands, and upon Payment of the Amount agreed upon such Lands shall be absolutely vested in and belong to the said Mayor and Commonalty and Citizens to and for their own Use and Benefit.

Power for Postmaster General to sell the equitable Interest in certain Lands.

22. Nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City of *London*.

Saving Rights of Commissioners of Sewers.

23. If in the Removal and pulling down of any Buildings, or in raising or lowering the Ground of any Street or Way, it shall be necessary to raise, sink, or otherwise alter the Position relatively to the Surface of the Ground of any Main or Service Pipe or other Apparatus laid down or used by the City of *London* Gaslight and Coke Company, or connected with any House or Building for the Supply of Gas, One Month's Notice shall be given to the said Company previously to the Commencement of any such Work, which shall be executed to the reasonable Satisfaction of the Engineer of the said Company, or, in case of Difference, of an Engineer to be selected by the Board of Trade, and every such Work shall be so executed as to cause as little Inconvenience as Circumstances will admit to the said Company; and Her Majesty's Postmaster General shall make Compensation to the said Company for all Loss or Damage, if any, which may be occasioned by the Execution of the Works by this Act authorized, or any or either of them.

For Protection of the City of London Gaslight and Coke Company.

 24. If

For Protection of New River Company.

24. If in the Removal or pulling down or Erection of any Buildings, or in raising or lowering or otherwise disturbing the Ground of any Street or Way, it shall be necessary to raise, sink, or otherwise alter the Position relatively to the Surface of the Ground of any Main or Service Pipe or other Apparatus laid down or used by the *New River* Company, or connected with any House or Building for the Supply of Water, One Month's Notice shall be given to the said Company previously to the Commencement of any such Work, which shall be executed to the reasonable Satisfaction of the Engineer of the said Company, or, in case of Difference, of an Engineer to be selected by the Board of Trade, and every such Work shall be so executed as to cause as little Inconvenience as Circumstances will admit to the said Company; and Her Majesty's Postmaster General shall make Compensation to the said Company for all Loss or Damage, if any, which may be occasioned by the Execution of the Works by this Act authorized, or any or either of them.

Exemption from Buildings Act.

25. All Buildings to be erected in pursuance of this Act shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

No Purchases to be made without Authority of Treasury.

26. No Purchase shall be made by Her Majesty's Postmaster General for the Purposes of this Act without the Assent in Writing of the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer, but it shall not be necessary for any Vendor or any Purchaser from Her Majesty's Postmaster General to ascertain that such Assent has been given, nor shall Her Majesty's Postmaster General be bound to produce to any such Vendor or Purchaser any Evidence of such Assent: Provided, nevertheless, that such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer as aforesaid shall seem meet.

Authentication of Notices.

27. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of Her Majesty's Postmaster General may be given, issued, or signed by the Solicitor or Secretary of the General Post Office for the Time being, and need not be under the Common Seal of Her Majesty's Postmaster General, and may be in Writing or in Print, or partly in Writing and partly in Print.

Orders concerning Money

28. All Orders which, under this Act and the Acts incorporated herewith, the Court of Chancery is empowered to make on Motion

or

or Petition in relation to any Money paid into the Bank of *England* with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had; subject, nevertheless, to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Application.

paid into Court may be made at Chambers.

29. Nothing in this Act, or in any Deed or Instrument entered into or made by Her Majesty's Postmaster General for the Purposes of this Act, shall extend to charge the Person of Her Majesty's Postmaster General executing any such Deed or Instrument, or the Heirs, Executors, or Administrators of Her Majesty's Postmaster General, or any of them, or either or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the said Deed or Instrument contained on the Part of Her Majesty's Postmaster General; but the Amount of all Costs, Charges, Damages, or Expenses which shall or may be recovered in any Suit or Suits at Law or in Equity against Her Majesty's Postmaster General, or against his Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Deed or Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expenses which Her Majesty's Postmaster General shall bear, pay, expend, be put to, or which shall be occasioned to him for or by reason or means of any such Deed or Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against him thereupon, shall respectively be paid and discharged by and out of the Monies applicable to the Purposes of this Act.

Postmaster General not to be personally liable.

30. All Monies which shall become payable to the Postmaster General under the Provisions of this Act shall be paid to the Receiver and Accountant General for the Time being of Her Majesty's Post Office, to be by him placed to the Account of Her Majesty's Postmaster General at the Bank of *England;* and the unstamped Receipt of the Receiver and Accountant General of the Post Office for such Monies shall effectually discharge the Person or Persons by whom or on whose Account the same shall be paid, and no such Person shall be bound to see to the Application or be answerable for the Nonapplication or Misapplication thereof.

Monies payable to Postmaster General to be paid to his Account into Bank of England.

31. No

Deeds not liable to Stamp Duty.

31. No Deed, Bond, or other Instrument which shall be made or executed by, to, or with Her Majesty's Postmaster General or otherwise for any of the Purposes of this Act shall be subject or liable to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged therewith by any future Act.

Plans to be deposited, and may be inspected.

32. A Copy of the Plans of the prescribed Lands shall be deposited in the Office of the Clerk of the Peace for the City of *London*, and shall remain at the said Office to the end that all Persons may at all reasonable Times inspect the same at their Pleasure, paying One Shilling at each Inspection.

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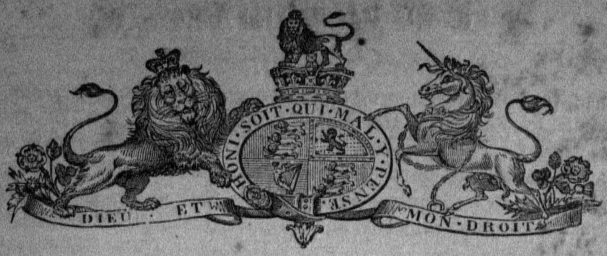

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VICTORIÆ REGINÆ.

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The Word "Officer" shall mean the Officer for the Time being of the Landed Estates Court, *Ireland*, whose Duty it shall be to carry out this Act, under the Direction of the said Court:

The Word "Record" shall mean the Book or Books to be provided and kept for the recording of Titles, pursuant to this Act, in the Landed Estates Court:

The Word "Land" shall extend to Manors, Messuages, Advowsons, Rectories, Tithes, Lands, Tenements, and Hereditaments, and to Rents or Annuities charged upon Hereditaments, whether subject to any Fee-farm or other perpetual Rent, with or without Condition of Re-entry for securing the same, or otherwise, and whether corporeal or incorporeal, and to any undivided Share thereof:

The Word "Lease" shall include an Agreement for a Lease, and the Estate or Interest created or agreed to be created by a Lease or Agreement in the whole or any Part of the Land therein comprised, and shall include any Term of Years.

The Word "Owner," as applied to Land, shall include any Person entitled in possession in Fee Simple or in Tail or quasi in Tail, and any Person who has a Power of appointing or disposing of the Fee, or appointing or granting in Fee Farm, and whether with or without the Consent of another Person, and any Person entitled as a Trustee for Sale or having a Power of Sale, or of granting in Fee Farm, and whether with or without Consent as aforesaid, and as applied to a Lease shall include any Person entitled in possession to the Interest thereunder, or having Power to appoint or dispose thereof, and to any Person entitled thereto as a Trustee for Sale or having a Power of Sale:

The Words "Person" or "Owner" shall extend to a Body Politic or Corporate:

The Word "Charge" or "Incumbrance" shall include any Legacy, Portion, Lien, or other Charge whereby a Sum of Money is secured to be paid, and also any annual or periodical Charge, and also any Charge hereafter to be imposed on Land under any Public Act for promoting Drainage or Land Improvement, and also every other Charge upon Land which is deemed an Incumbrance in a Court of Equity:

The Word "Certificate" or "Land Certificate" shall include the Counterpart of a Conveyance, or the Duplicate of a Judicial Declaration of Title recorded pursuant to this Act:

The Word "Settlement" shall include any Instrument under which any Land or Lease shall be at Law or in Equity so limited as to create partial or limited Estates or Interests:

The Expression "recorded Estate" shall mean any Land or Lease the Title to which shall be recorded under the Provisions of this Act.

Record

Record of Title to be established of Land which has been the Subject of Conveyance or Declaration by the Landed Estates Court.

3. There shall be established a Record of Title, to be kept under the Control and Direction of the Landed Estates Court; and the Office in which such Record is kept shall be called "the Record of Title Office" of the said Court.

Record of Title to be established under Control of the Landed Estates Court.

4. Any Person, upon obtaining a Conveyance from the Court of any Land or Lease, or of any Interest therein, shall be entitled to have such Conveyance entered in the Record, and on the same being so entered the Land or Lease, or Interest therein, comprised in such Conveyance, shall be and be deemed to be for the Purposes of this Act a "recorded Estate."

Any Conveyance from the Court may be recorded under this Act.

5. And whereas the Court has Power to grant a Judicial Declaration of Title to a Fee Simple Estate, and it is desirable to extend such Power: Be it therefore enacted, That, notwithstanding anything contained in an Act of the Twenty-first and Twenty-second Years of the Reign of Her Majesty, intituled *An Act to facilitate the Sale and Transfer of Land in* Ireland, the Court may, on the Application of the Owner of any Land or Lease of any Tenure in *Ireland*, proceed to investigate his Title to the Estate or Interest or Power in respect of which he claims to be such Owner, and grant such Declaration, in the Manner directed by the said Act.

Extension of the Powers of the Court as to granting Declarations of Title. 21 & 22 Vict. c. 72.

6. Any Person, upon obtaining a Declaration of Title from the Court, shall be entitled to have such Declaration entered upon the Record, and thereupon the Land or Lease comprised therein shall be and be deemed to be a recorded Estate; and no Declaration of Title so entered upon the Record shall be registered in the Office for registering Deeds in *Ireland*; and it shall not be necessary to keep in the Court any other Record or Copy of any such Declaration of Title than that herein-after mentioned, anything in the said recited Act, or in any Rule or Order made pursuant thereto, notwithstanding.

Every Declaration of Title may be recorded, and need not be registered in the Deeds Registry.

7. Any Person to whom any Conveyance or Declaration of Title shall be given by the Court may, by Requisition under his Hand, lodged in the proper Office of the Court within Seven Days after the Execution of such Conveyance or Declaration by a Judge, require that the Title so conferred shall not be recorded under this Act; and on such Requisition the Court shall deliver out such Conveyance or Declaration, and the same shall not be recorded: The Provisions of the said Act of the Twenty-first and Twenty-second Years of the Reign of Her Majesty, as to the Registration of Declarations of Title in the Office for registering Deeds, shall in that Case take

Any Person obtaining a Conveyance or Declaration may decline to have his Title recorded under this Act.

take effect as though this Act had not been passed: Provided always, that any Declaration of Title made after the passing of this Act, and not recorded pursuant to this Act, may be registered in the said Office for registering Deeds at any Time within Fourteen Days after the Execution thereof by the Judge.

Conveyances and Declarations when recorded to be entered, each to form, with subsequent Entries, a Folio.

8. All Conveyances and Declarations which are retained for the Purpose of being recorded under this Act shall be entered in the Book or Books forming the Record, and bound up therein, leaving Space for further Entries; and each of such Conveyances and Declarations, together with the further Entries (if any) thereunder, shall form a Division (herein-after called a Folio) of the Record, distinguished by a separate Number, or in such other Manner as the Officer may determine.

Duplicates of Conveyances or Declarations may be issued.

9. A Counterpart of every Conveyance and a Duplicate of every Declaration of Title, recorded as aforesaid, signed by a Judge, and under the Seal of the Court, may be issued to the Person entitled thereto; and every such Counterpart or Duplicate so issued shall be marked by the Officer with a Memorandum of the recording as aforesaid; and every such Counterpart or Duplicate so marked shall as of the Date thereof be and be deemed to be for all Purposes as effectual as a "Land Certificate" granted as herein-after mentioned, and shall for the Purposes of this Act be regarded as a Land Certificate.

Books of Record not to be inspected without Leave.

Index to be made.

10. The Record shall be kept in the Office, and shall not be removed therefrom for any Purpose, unless the Court shall direct. The Record may be inspected by the recorded Owners of the Estates and Interests, or of the Mortgages and Incumbrances recorded therein respectively, or by their Solicitors or Agents. No other Person shall be permitted to inspect or to take Copies of or Extracts from the Record, unless authorized by any such Owner or by Fiat of a Judge. An Index to recorded Estates shall be made and regularly entered up; and such Index may be inspected by any Person without Payment of any Fee.

Questions arising on the Record to be disposed of by a Judge, who may decide or deal with the same as may seem right.

11. If in making up or continuing such Record of Title as aforesaid any Question shall arise as to the true Construction or legal Validity or Effect of any Deed, Will, or Instrument, or as to the Persons entitled, or the Extent or Nature of the Estate, Right, or Interest, Power or Authority, of any Person or Class of Persons, or the Priority of any Charge or Incumbrance, Claim or Interest, or as to the Mode in which any Entry ought to be made in the Record of Title, such Questions shall be disposed of by the Judge, who may either decide the same, or direct any Proceeding at Law or in Equity for that Purpose, or, at his Discretion, and without

without deciding such Question, may direct such Entry to be made on the Record as shall appear to be right; and the Judge may direct the Estate or Interest of any Person to be recorded by reference to the Deed, Will, or Instrument creating the same, or Copy thereof made and retained in Court, as herein-after directed.

12. Subject to any Qualification mentioned in such Record of Title, and to any recorded Charges, Incumbrances, Tenancies, or Leases, and to any Tenancy or Lease not required to be noted on the Record, the recorded Owner for the Time being shall be and be deemed to be absolutely and indefeasibly possessed of and entitled to such recorded Estate against all Persons, and free from all Rights, Interests, Claims, and Demands whatsoever, including any Estate, Claim, or Interest of Her Majesty, Her Heirs and Successors: Provided always, that nothing herein contained shall prejudice or affect any Rentcharge in lieu of Tithe, or any Crown Rent or Quitrent to the Crown, or any Charge imposed before the Day of the passing of this Act under any Public Act or Acts for promoting Drainage or Land Improvement in *Ireland*.

Recorded Owners to be entitled to the Estates mentioned on the Record, free from all other Claims.

13. No Entry in such Record of Title as aforesaid shall be set aside or called in question as against any Person who may afterwards become interested under any Sale, Mortgage, or Contract for valuable Consideration by reason of any Irregularity or Informality therein, or in the Proceedings previous to the making thereof.

Informality not to prejudice Entry in Record of Title.

14. From and after the recording of any Land or Lease, every Settlement, Transfer, Mortgage, Charge, Lease, or Sub-Lease granted or in any Manner created in or affecting such Land or Lease or any Part thereof (except as herein excepted) shall be entered or noted in the Record of Title to be kept as aforesaid. Recorded Charges on the same Land or Lease shall, as between themselves, rank according to the Date of their being recorded, and not according to the Date of their Creation.

Every Charge, &c. to be entered in Record of Title.

15. Subject to the Enactments herein contained, the Estates and Interests of all recorded Owners shall remain subject to the existing Law, and may be dealt with, assured, devised, and transmitted by Descent or Representation according to the ordinary Rules of Law and Equity.

Estates of Proprietors subject to existing Law.

16. The Provisions of the several Acts of Parliament now in force relating to the Registry of Deeds in *Ireland* shall cease to be applicable to any Land so soon as it has been placed on the Record

Acts relating to Registry of Deeds not to apply to

recorded Land.

under the Provisions of this Act, and so long as it remains thereon; and the said several Acts shall not be applicable to any Lease, Charge, or Incumbrance on the Record, so far as the same affects any recorded Estate: Provided always, that so soon as any Conveyance or Declaration of Title has been recorded under this Act, a Memorial of the placing of the Land or Lease on the Record shall be prepared specifying the recorded Ownership and full Description of the Lands, which Memorial shall be certified under the Seal of the Court, and shall be forthwith handed to the Registrar of the Registry of Deeds in *Ireland;* and such Registrar is hereby authorized and directed to file such Memorial, when duly verified, in the same Way as Memorials of Deeds, and shall receive such Fees thereon as now chargeable for Memorials of Deeds, and the said Registrar shall duly enter in the Registry the Name of the said Owner and the Description of the Lands, and shall make the usual Return on any Requisition as with regard to Memorials of Deeds. Such Memorial, when registered, shall be conclusive Evidence of the several Matters therein contained.

Power to amend the Record on Fiat of a Judge, and the like Amendment to be made in Land Certificate.

Power to order a Certificate to be brought in to be amended or a new one substituted.

17. The Officer shall, when directed by a Fiat of a Judge, but not further or otherwise, make any Amendment or correct any Error in the Record or in any Map thereto annexed, as the Judge shall consider just; such Amendment or Correction shall be made after such Notices, and on such Terms as to Costs or otherwise, as the Judge may think fit. Every such Amendment or Correction in the Record shall be marked by the Officer with the Date of making the same, and with the Initials of his Name; and any Certificate which may have been issued as herein-after mentioned, or other Instrument of Title, shall be amended in like Manner; and the Judge may direct and compel any such Certificate or Instrument of Title to be brought to the Office by any Person for the Purpose of Amendment, or for the Purpose of having a new Certificate granted in lieu thereof; and such Amendment of the old or substitution of a new Certificate shall be without Prejudice to any Claim of Lien or other Claim thereon, and shall be on such Terms as to Costs as may be just.

As to Land Certificates and Certificates of Charges.

Officer to deliver Land Certificates.

18. The Officer shall, upon Request, deliver to every Person who is named or described in the Record as the Owner of any recorded Estate a Certificate, herein called a "Land Certificate," under the Seal of the Office, which Certificate shall contain a Copy of the Description of the Estate and Particulars of the Incumbrances, Leases, and other Matters in force relating thereto, and a Copy of the

the Map (if any); the Officer shall also, upon Request, deliver to every Person who is named or described in the Record as the Owner of any Charge or Incumbrance a Certificate of Charge: Provided always, that no Certificate shall be issued until any Duplicate Conveyance or Declaration or former Certificate (as the Case may be) which may have been issued shall be returned to the Officer to be cancelled.

Certificates of Charge to be also issued.

19. At the Request of the Holder the Officer shall at any Time compare any such Certificate with the Record, and, if there has been no Alteration, shall certify at the Foot of such Certificate that it contains a true Statement of the Entries in the Record, and shall sign the same and add the Date of such Signature. Any Alteration or Omission which can be conveniently made in a Certificate, or any Addition thereto, so as to make the same correspond with any Alteration in the Record, may be made and signed by the Officer, if he shall think fit. Before recording any Transfer or other Dealing (except a Lease), the Officer shall serve a Notice thereof on the recorded Owner in the Manner directed by Section Sixty-four of this Act, unless such Owner shall appear in Person, and be identified to the Satisfaction of the Officer; and the Officer shall also require the Production of the Certificate or other Instrument of Title equivalent thereto that may have been issued; and when such Transfer or Disposition has been completed such Certificate or Instrument of Title (if re-issued) shall be made up so as to correspond with the Record. A new Certificate may be granted on the Delivery up of the former Certificate.

Officer to compare Certificate with the Record.

20. Whenever any recorded Owner shall be desirous of selling or mortgaging any recorded Estate he may, on giving up to the Officer his Land Certificate, obtain a "special Land Certificate" for that Purpose, which shall contain the Particulars given in the Land Certificate. Such special Certificate shall be conclusive Evidence of the Title of the recorded Owner as appearing by the Record. No Entry shall be made by the Officer in the Record of any Deed, Instrument, Act, or Transaction affecting the Estate comprised in such special Certificate, except on the Delivery up of such special Certificate, until Fourteen Days have expired from and after the Day of the Date thereof. A Note of such special Certificate shall be entered in the Record.

Recorded Owner desirous of selling, &c. may obtain special Land Certificate.

21. Every Land Certificate, or Certificate of Charge, duly signed and sealed, shall be conclusive Evidence of the several Matters therein contained as of the Date of such Certificate. The Deposit of the Certificate by the Person entitled thereto shall, for the Purpose of creating a Lien on his Estate and Interest, be a valid Security

Certificate to be Evidence, and may be deposited as Security.

Security in the Terms of any Letter or Memorandum or Agreement accompanying such Deposit; and such Letter or Memorandum or Agreement shall be chargeable with the same Stamp Duty as a Mortgage would have been according to the Stamp Acts now in force.

Power of subdividing Land or Charge, and of obtaining new Certificates.

22. Any Owner of a recorded Estate or Charge, on making Application to the Officer, and upon giving up his Certificate to be cancelled, and on producing the Consent of any Incumbrancer or other Person whose Consent shall be deemed necessary, may obtain separate Certificates for separate Parcels of Land, or for separate Portions of any Charge, or may obtain One Certificate comprising several Parcels of Land or Charges; and in such Case the old Folio of the Record may be cancelled, and new Folios or Chapters relating to such Subdivisions may be opened therein.

Procedure on Transfer of Part of an Estate.

23. On the Transfer of Part of a recorded Estate a new Folio shall be opened in respect of such Part, and a new Land Certificate issued; and a suitable Entry shall at the same Time be made on the Folio and Map relating to the Residue and on the Certificate thereof; or, if the Officer shall deem it more convenient, he may cancel the old Folio, and open a new one, and issue a new Certificate in respect of the Residue of the Estate.

Apportionments may be made and Surveys directed for the Purposes of Subdivision.

24. If for any Purpose mentioned in the last Section any Apportionment of Head Rent or of Tenant's Rent shall be desirable, the Court may apportion such Rent, whether the same be reserved by a Fee-farm Grant or by a Lease, according to its usual Practice with regard to Apportionments, and on the like Notices or Consents being produced: Provided always, that the Officer may, if he deem it necessary, require a new Boundary Survey to be made and new Maps furnished before proceeding to open new Folios in the Record as to separate Parcels of Land.

On Proof of Loss, &c. of Certificate, a new one may be given.

25. If any Land Certificate or Certificate of Charge be lost or destroyed, the Officer may, upon the Fiat of the Judge who shall be satisfied of the Fact of such Loss or Destruction, and shall direct such public Advertisement for the Recovery of the same as he may consider expedient, give a new Certificate, and shall state thereon that it is given in substitution for the former Certificate, and the same Fees shall be chargeable for the new as for the former Certificate; but no such new Certificate shall be of any Avail against any Person who may have already derived Title under the former Certificate.

Transfer

Transfer and Transmission of recorded Estates and Charges.

26. Recorded Estates and recorded Charges may be conveyed, charged, settled, dealt with, or affected—

By a Statutory Deed or Disposition in either of the Forms in the Schedule annexed to this Act;

By Indorsement on the Certificate;

By Deposit of the Certificate as aforesaid;

By Deed, Will, Decree, Order, or other Means by which such Land or Charge, if not recorded, might now, according to Law, be dealt with or affected;

but no Estate, Interest, Contract, or Dealing not noted on the Record shall prevail against the Title of any Owner or of the Proprietor of any Estate, Interest, Charge, or Incumbrance duly recorded under this Act; and no equitable Mortgage or Lien on recorded Land shall be created by Deposit of Title Deeds.

Modes by which recorded Estates and Charges may be dealt with.

27. On the Occasion of any Transfer, Mortgage, or other Disposition of a recorded Estate, or of any Charge or Incumbrance thereon, the Parties or their Attorneys lawfully authorized may attend at the Office to complete the Transaction. The Description of the Land and of the Estate or Charge proposed to be transferred or dealt with shall be taken from or refer to the Record, and shall be inserted, under the Superintendence of the Officer, in one of the Statutory Forms set out in the Schedule hereto; and such Transfer or Disposition shall be executed by the Owner or Transferror, or by his Attorney lawfully authorized, and duly attested by a Solicitor, and shall then and there, together with the Power of Attorney (if any), be delivered to the Officer for the Purpose of having an Official Note entered in the Record.

Attendance of Parties at the Office to transfer or deal with recorded Land, &c.

28. The recorded Owner of any Estate, Charge, or Incumbrance may transfer or charge the same by one of the Forms in the Schedule hereto, and the same shall be as complete and effectual as any other Form of Transfer, Charge, or Mortgage would have been either at Law or in Equity. Persons taking under either of the said Statutory Forms shall take as fully and effectually as if the Estates and Rights expressed to be created and given by such Forms respectively had been created or granted by any of the Modes of Assurance now known to the Law.

Transfer, &c. may be by the Statutory Forms, which shall be effectual.

29. Any Person claiming under a Deed or Instrument affecting recorded Land executed elsewhere than in the Office may apply to have the same recorded as to such Land, on giving sufficient Evidence of the due Execution thereof; and when the Officer has received such Deed or Instrument he shall forthwith note the

Other Deeds may be recorded, on Evidence of due Execution.

 same

Originals or Copies to be retained in Court.

same on the Record, and shall retain in Court either the Original or a Counterpart, or a Copy, made and compared in such Manner as the Court may by General Rule direct, and under the Hand of the Grantor; and the Original, if handed back to the Person entitled thereto, shall be so marked or indorsed by the Officer as to show that it has been noted on the Record; and so far as relates to the recorded Estate or Charge thereby affected it shall not be necessary to register any Memorial of such Deed or Instrument in the Office for registering Deeds in *Ireland:* Provided always, that the Officer may decline to receive and note any Deed or Instrument which is not made in One of the Forms in the Schedule hereto, unless a Judge has, by Fiat indorsed thereon, directed the same to be received and noted.

When Deed signed, &c., the Interest thereunder to be deemed recorded, and an Official Note to be made.

30. So soon as any Deed or Instrument has been duly executed, and has been received by the Officer, such Deed or Instrument, and the Estate and Right created thereby, shall be deemed to have been duly entered on the Record, and an Official Note of Reference thereto shall forthwith be made by the Officer in the proper Folio of the Record: Provided always, that such Deed or Instrument, and the Estate and Right created thereby, shall not be deemed to have been entered on the Record so as to affect any Land, Lease, or Charge comprised in any such "Special Land Certificate" as herein-before mentioned until after the Expiration of the Time herein-before limited for the Entry of any Deed, Act, or Transaction affecting such Land or Charge.

Vesting Orders may be made, as under the Trustee Acts.

31. For the Purpose of authorizing or of compelling a Transfer to be made of any recorded Estate or Charge or any Part thereof, the Court or a Judge may make such Orders and give such Directions as to the Appointment, Removal, or Change of Trustees, or as to the vesting in them or in any other Person of any Land or Charge, as the Lord High Chancellor is empowered to make or give under "The Trustee Act, 1850," or any Act amending or extending the same.

Power to recorded Owner of closing the Record, and remitting his Estate to the Operation of the old Law relating to the Registry

32. The Owner of any recorded Estate may at any Time by a Requisition under his Hand, and with the Consent of all Persons who may appear to be interested as having Charges or otherwise, and whose Consent shall be deemed necessary, require the Record to be closed, and on such Requisition and Consent being examined and found to be sufficient a Memorial of the closing of the Record shall be prepared, specifying the Ownership and full Description of the Lands, which Memorial shall be signed by the Officer and by the said Owner, and shall be forthwith handed to the Registrar of the

the Registry of Deeds in *Ireland;* and such Registrar is hereby authorized and directed to file such Memorial, when duly verified, in the same Way as Memorials of Deeds, and shall receive such Fees thereon as now chargeable for Memorials of Deeds, and the said Registrar shall duly enter in the Registry the Name of the said Owner and the Description of the Lands, and shall make the usual Return on any Requisition as with regard to Memorials of Deeds. Such Memorial, when registered, shall be conclusive Evidence of the several Matters therein contained. After the Registration of such Memorial the Record shall be deemed to be closed as to such Estate, but shall for all Purposes be deemed to have conferred an indefeasible Title upon the Person last therein described as Owner (subject as therein, and as in this Act, is excepted).

of Deeds, &c. in Ireland.

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33. Notwithstanding anything contained in this Act, the Landed Estates Court shall have the same Jurisdiction that Courts of Equity now have on the Ground of actual Fraud, and it may alter or amend the Record on such Terms as may be just.

Jurisdiction of Court declared in Cases of actual Fraud.

34. On the Death of the recorded Owner of any Real Estate, any Person claiming as Devisee may apply to the Judge for a Fiat directing the Officer to record the Applicant as Owner, in the Place of the deceased Person; but the Judge shall withhold such Fiat until the Applicant shall have lodged in the Office the Probate or a true Copy of the Will or Codicil under which he claims; and no Transfer or Disposition by any such Devisee shall be recorded, except after the Service of such Notice on the Heir-at-Law and Executors (if any) as the Judge may deem necessary; and the Judge may also, if he shall see fit, suspend such Fiat until a Decision of some other competent Court in favour of the Title claimed by such Devisee shall have been obtained.

Devisee of deceased recorded Owner may apply to be recorded as Owner. Notice to be given to Heir, &c.

35. On the Death of the recorded Owner of Real Estate, any Person claiming as Heir-at-Law may apply to the Judge for a Fiat directing the Officer to record the Applicant; but no such Person shall be recorded as Owner until at least Six Calendar Months from the Date of such Application shall have expired, and such Notices of every such Application shall be given, by Advertisement and otherwise, as the Judge may think necessary or proper: If there shall be any Doubt, Dispute, or Litigation touching the Ownership of the Estate of a deceased Owner, the Court may appoint a Person to be recorded in his Place as the Representative of such Estate, and shall give Directions to such Representative from Time to Time touching the Management and Letting of the Estate; and all

Heir-at-Law of deceased Owner may apply to be recorded.

Court may appoint a Representative of Estate of a deceased Owner.

Powers of the Representative.

all Acts of such Representative in pursuance of the Directions of the Court shall be valid and binding on all Parties interested in the Estate.

Personal Representative may be recorded.

36. On the Death of the recorded Owner of a Chattel Interest in or of a Charge affecting Land, his personal Representative may apply to be recorded in the Place of the deceased Person.

Assignees may be recorded instead of Owner.

As to Marriage of Female Owner.

37. On the Bankruptcy or Insolvency of any recorded Owner, the Assignee or Assignees of his Estate shall be entitled to be recorded in his Place. On the Marriage of any Female Owner of a recorded Estate or Charge her Husband may apply to be recorded as Co-proprietor in right of his Wife.

Power to record Estates and Interests under Settlements.

The Judge may direct Estates and Interests under Settlements to be separately recorded.

38. Upon the Application of any Person claiming under any Settlement of a recorded Estate a Judge may make an Order directing the Officer to record separately any vested Estate under the Settlement, either in possession, or in remainder after the dropping of a Life or Lives, which can be aliened by the Owner thereof without the Consent of any other Person, and which is not liable to be defeated or affected at Law or in Equity by the Act of any other Person or by any other Contingency. Upon any such Application the Judge shall ascertain whether any Power of Sale or Exchange or Power of charging exists with respect to such Estate, and if so the Record shall be qualified by stating the Existence of such Power; the Judge may also direct the Officer to record separately any vested and ascertained Charge or Incumbrance under the Settlement.

Interests, &c. separately recorded to be recorded Estates or Charges.

39. Any Estate, Interest, or Charge under a Settlement, when separately recorded, shall be, for the Purposes of this Act, and shall be deemed to be, a "recorded Estate" or a "recorded Charge," and a separate Folio or Division (as the Case may be) of the Record shall be opened therefor, and a separate Certificate issued to the Person entitled.

Interests, &c. may be recorded by Reference.

No Appeal to lie if the Judge declines to record separately.

40. On any Application to record separately any Estate, Interest, or Charge under a Settlement, the Judge may decline to have the same separately recorded, or he may (at his Option) direct that the same be recorded by means of a Note of Reference to the whole or any Portion of the Settlement or Counterpart, or the Copy retained in Court as herein-before provided for; and no Appeal shall lie from any Decision of the Judge given under this Section.

41. Trustees

41. Trustees with a Power of Sale may be recorded as Joint Owners, and any Tenant for Life or other Person may by their Consent, or by Direction of a Judge, be entered as a "consenting Party," and without the Consent of the Person so inscribed as last aforesaid no Transfer or Disposition shall be made: Provided always, that the Judge shall have full Power (after such Inquiries and Notices as it shall deem just) to direct the Name of any Person to be removed as a "consenting Party," and to direct the Name of any other Person to be inserted in lieu thereof; and any Person interested in preventing any Sale or Disposition by such Joint Owners may lodge a Caveat with the Officer in manner herein-after mentioned.

Trustees with Power of Sale may be recorded as Owners, and a Person may be recorded as "consenting Party" to any Sale, &c.

Judgments and other Claims on recorded Estates.

42. No Judgment, Recognizance, Crown Bond, Lis pendens, Acceptance of Office, Inquisition, Decree, or Order shall be a Charge upon recorded Land, or in any Manner affect the same, unless and until a Memorandum of the same, in such Form and with such Verification or other Evidence as the Court may by General Rule direct, shall be lodged with the Officer; and the Officer shall, on such Memorandum being lodged, and such Information given as will enable him to identify the Land sought to be charged, make an Official Note thereof on the Record. It shall not be necessary to register or file any Affidavit in the Registry of Deeds Office for the Purpose of making a Judgment a Charge on recorded Land.

No Judgment, Crown Bonds, Lis pendens, &c. to affect recorded Land, unless duly entered on the Record.

Judgments need not be registered by Affidavit.

43. Judgments, Recognizances, Crown Bonds, Lis pendens, Acceptances, and Inquisitions, Decrees, and Orders, entered on the Record by the Lodgment of a verified Memorandum, and the Entry of an Official Note as aforesaid, shall be re-entered before the End of every Five Years from the Entry thereof by the like Means; and no Judgment, Recognizance, Crown Bond, Lis, Acceptance, Inquisition, Decree, or Order shall be of any Force or Effect as against a Purchaser for valuable Consideration, or Mortgagee of a recorded Estate, unless the same shall have been entered or re-entered on the Record within Five Years previous to the Date of the recording of his Purchase or Mortgage; and no such Purchaser or Mortgagee shall be affected by Notice, express or implied, of any Judgment, Recognizance, Crown Bond, Lis, Acceptance, Inquisition, Decree, or Order.

Judgments, Recognizances, &c. to be re-entered before 5 Years.

If not so re-entered they shall not affect Purchasers for valuable Consideration.

44. Whenever Payment is made of any Part of the Principal Money due on a recorded Charge or Incumbrance, the Officer may, on Production of a Receipt signed by the recorded Owner of the

Part Payment of Charge to be noted.

Interest from the last Gale Day only shall be deemed to be due on the Occasion of a Transfer.

Charge and duly verified, make an Official Note thereof, on the Record. Unless and until such Note be made the entire Principal Sum expressed to be due shall, on the Occasion of any Transfer for valuable Consideration, be considered as due. Interest on the Principal Sum since the last Gale Day shall be considered as due, unless the Fact of the Payment of such Interest be recorded. If in any Instrument of Transfer any further Interest be expressed to be due, such Transfer of Arrears of Interest shall be valid only to the Extent to which such Interest shall be actually due and recoverable from the Land. On the Application of any recorded Owner or Incumbrancer, and on finding that any Charge, Incumbrance, or Claim upon a recorded Estate has been paid off or satisfied, the Officer may make an Entry of the Fact on the Record, and no Release or Re-conveyance shall in that Case be necessary.

No Release necessary where the Payment of a Charge is noted.

Sale by Sheriff of any recorded Land or Lease to be noted.

45. Whenever any recorded Land or Lease shall be sold by the Sheriff under any Writ, or shall be sold under any Direction, Decree, or Order of any competent Court, the Officer, on Production to him of the Conveyance or Assignment, and of an Office Copy of the Writ, Direction, Decree, or Order, may record the Purchaser as Owner of such Land or Lease.

Caveats against Transfer, &c.

Power to any Person interested to lodge a Caveat prohibiting dealing with Land, &c.

46. Any Person interested in any Land, Lease, or Charge recorded in the Name of any other Person may lodge a Caveat with the Officer, which Caveat shall be in such Form and shall be verified and noted on the Record in such Manner as the Court shall by General Rule direct. A Caveat shall remain in force for a Period of Twenty-one Days from the Date thereof if the Court shall be then sitting, or if the Court shall not be sitting then for Twenty-one Days from the next Sitting of the Court. Any Transfer or other Disposition recorded during such Period shall, unless a Judge shall otherwise direct, be made expressly subject to the Title and Claim (if any) of the Cautioner.

Caveat to cease unless extended.

Power to a Judge to extend the Operation of a Caveat.

47. After the Expiration of such Period the Caveat shall cease, and the Officer shall cancel any Note thereof on the Record, unless a Fiat continuing it be made by a Judge; and upon the Caveat so ceasing the Land, Lease, or Charge shall be dealt with in the same Manner as if no Caveat had been lodged. If before the Expiration of the said Period the Cautioner or his Solicitor appears before a Judge, and gives such Undertaking or Security, or lodges such Sum in Court as such Judge may consider sufficient to indemnify every Person against any Damage that may be sustained by reason of any Disposition of the Property being delayed, then and in such Case such

such Judge may direct the Officer to delay recording any Dealing with the Land, Lease, or Charge for a further Period, to be specified in such Order, or make such other Order as may be just. If any Caveat be lodged without reasonable Cause, such Judge may order Payment by the Cautioner of such Sum by way of Compensation or Costs as he may deem just.

In certain Cases a Note to be made on Certificate as to Disposition of Land.

48. Where Two or more Persons are recorded as Owners of any Estate or Charge, a Note may, with their Consent or by Direction of the Judge, be made by the Officer on the Record to the Effect that when the Number of such Owners is reduced below a specified Number, no Disposition of such Land or Charge shall be made by the Survivors unless the Judge shall otherwise direct; and such Note shall appear on every Copy or Certificate issued by the Officer.

Leases and Demises of recorded Land.

Mode of leasing or demising recorded Land.

49. Whenever recorded Land is intended to be leased or demised, the Lease and a Counterpart thereof, after being executed by the recorded Owner, and attested, may be brought to the Officer, who shall make an Official Note of the Terms of such Lease in the proper Folio of the Record, and shall mark or indorse on such Lease and Counterpart a Note that they have been recorded. A Lease granted by any Person having Power to lease, but not being the recorded Owner, may, on the Fiat of the Judge, be noted on the Record in like Manner. On the Application of the Lessee, and after Notice to the recorded Owner, any such Lease may be entered in a Subdivision or Chapter of the said Folio, and such Lease shall in that Case be deemed to be a "recorded Estate" within the Meaning of this Act: Provided always, that if the Lessor's Interest shall be subject to any recorded Charge, either the Consent of the Person appearing entitled to such Charge shall be obtained before a Lease or Demise of recorded Land shall be noted or entered on the Record, or, if such Consent be not obtained, the Officer shall enter a Note to the Effect that the granting or recording of such Lease is "without Prejudice to the Title and Claim" of the Person entitled to such Charge; and the Interest of the Lessee shall remain subject to such Qualification as last aforesaid, but the Officer may at any Time, on such Consent being obtained, and proved to his Satisfaction, cancel such Qualification, and thereupon the Title of the Lessee shall become indefeasible, subject only to the Reservations, Clauses, and Covenants contained in the Lease: Provided also, that any Tenancy or Lease lawfully made at a Rackrent without Fine for a Term not exceeding Thirty-one Years, and under which the Tenant is in possession, or any Assignment thereof, shall be valid for all Purposes, although not entered or recorded under this Act.

Consent of any Person entitled to a Charge to be obtained, otherwise the Rights of such Person to be expressly reserved.

Certain Leases excepted from Operation of the Act.

50. On

Title of Lessor in Lease not to be indefeasible unless the Court shall direct a Note to be entered to that Effect.

50. On the recording, pursuant to this Act, of any Land held under Lease, the indefeasible Title shall not extend to the Title of any Lessor or Grantor under whom the same is held, unless the Court, having investigated the Title of such Lessor or Grantor, shall direct an Official Note to be entered to the Effect that the Title of such Lessor or Grantor is guaranteed, and in such Case the Validity of such Lease shall not afterwards be impeached on the Ground of any Want of Power or Title in the said Lessor or Grantor to make the same, or by reason of any Clause, Condition, or Covenant in the same, or by reason of the same not having been duly registered.

Land heretofore conveyed, &c. may be brought upon the Record.

Power in certain Cases to record Land although an Interval has elapsed since such Land was the Subject of a Conveyance or Declaration by the Court.

51. Any Person who has heretofore obtained a Conveyance from the Court of the Commissioners for the Sale of Incumbered Estates in *Ireland*, or has obtained or may hereafter obtain a Conveyance or Declaration of Title from the Landed Estates Court, or the Assign or Representative of any such Person, may apply in a summary Manner, without Petition, to the Court, to be recorded as Owner, pursuant to this Act; and on producing such Conveyance or an Office Copy of such Declaration, and on furnishing such Search or other Evidence of Title, and after the Publication of such Advertisement as the Court may direct, such Person may, if the Court think fit, be recorded as Owner of the whole or Part of the Land or Lease comprised in such Conveyance or Declaration, and such Land or Lease, or Part thereof, shall thereupon become a recorded Estate within the Meaning of this Act: Provided always, that an Interval of Two Calendar Months shall elapse between such First Application and the final recording of the Title as aforesaid; and that the Officer may, if he think fit, require a new Survey of the Land to be made, and a new Map, for the Purpose of Entry on the Record.

General Provisions, Practice of the Office, Rules, Forms, Fees, &c.

Officer not to be restrained by Injunction, &c.

52. No Act, Entry, or Proceeding under this Act shall be restrained nor shall the Officer be restrained by Order or Injunction of a Court of Equity or by Writ of Prohibition; nor shall the Officer be required by Writ of Mandamus to do any Act, or make any Official Note or Entry under this Act; nor shall the Record or any Book or Document be liable to be removed from the Office under any Writ or Process of any other Court, unless a Judge shall so direct.

Indemnity for Acts done bonâ fide.

53. The Judge shall not nor shall the Officer, or any Person acting under the Authority of either of them, be liable to any Action, Suit, or Proceeding for or in respect of any Act or Matter

bonâ

bonâ fide done or omitted in the Exercise or supposed Exercise of the Powers of this Act.

54. The "Record of Title Office" of the Court shall be open for Business on every Day of the Year, except the following Days; *viz.*, *Sundays*, *Christmas Day*, *New Year's Day*, *Good Friday*, *Easter Monday*, and *Whit Monday*, and any Day duly appointed to be kept as a Day of General Fast or Thanksgiving. The said Office shall be open during such Hours, and such Officer and Clerks shall attend therein, as the Court shall from Time to Time direct.

Days and Hours when the Office shall be open for Business.

55. The Court shall, on or before the First Day of *January* next, frame a Code of General Rules and of Forms for carrying out the Objects of this Act. Such General Rules shall further provide for the Sale, Transfer, Partition, and Exchange of "recorded Estates" by the Court. Such Rules and Forms shall be submitted to the Lord Chancellor of *Ireland*, and approved of by him, before they shall be binding, and when made and approved of as aforesaid they shall be laid before Parliament forthwith, if Parliament is sitting, or if not, within Fourteen Days after the next Sitting of Parliament; and such Rules and Forms may from Time to Time be added to, rescinded, or altered by the like Authorities respectively; and all such Rules shall take effect as General Rules of the Court.

General Rules to be made and approved of, and submitted to Parliament.

56. A Seal shall be prepared for the Record of Title Office of the Court, and shall be kept in the Custody of the Officer, and all Certificates and other Documents purporting to be sealed with such Seal shall be admissible as Evidence, without further Proof.

Seal of Record of Title Office.

57. If in any Proceeding to obtain the recording of any Land, or to obtain any Certificate, or otherwise in any Transaction relating to Land which is or is proposed to be put upon the Record, any Person acting either as Principal or Agent shall, knowingly and with Intent to deceive, make or assist or join in or be privy to the making of any material false Statement or Representation, or suppress, conceal, or assist or join in or be privy to the suppressing, withholding, or concealing from any Judge or the Officer, or any Person assisting the Officer, any material Document, Fact, or Matter of Information, every Person so acting shall be deemed to be guilty of a Misdemeanor, and on Conviction shall be liable to be imprisoned for a Term not exceeding Three Years, and either with or without Hard Labour, or to be fined such Sum as the Court by which he is convicted shall award. The Act or Thing done or obtained

Person making false Statement, guilty of Misdemeanor.

obtained by means of such Fraud or Falsehood shall be null and void to all Intents and Purposes, except as against a Purchaser for valuable Consideration without Notice.

No Proceeding, &c. declared a Misdemeanor to affect Remedies of Persons aggrieved.

58. No Proceeding or Conviction for any Act hereby declared to be a Misdemeanor shall affect any Remedy which any Person aggrieved by such Act may be entitled to, either at Law or in Equity, against the Person who has committed such Act.

Answers to Questions, &c. not admissible in Evidence.

59. Nothing in this Act contained shall entitle any Person to refuse to make a complete Discovery by Answer or otherwise to any Bill or Petition in Equity, or to answer any Question or Interrogatory in any Civil Proceeding in any Court of Law or Equity, or in the Court of Bankruptcy, but no Answer to any such Bill, Question, or Interrogatory shall be admissible in Evidence against such Person in any Criminal Proceeding.

Provisions as to Applications made by married Women.

60. Where any married Woman is desirous of making any Application, giving any Consent, or doing any Act, or becoming Party to any Proceeding under this Act, her Husband's Concurrence shall be required, and she shall be examined apart from her Husband touching her Knowledge of the Nature and Effect of the Application or other Act, and it shall be ascertained that she is acting freely and voluntarily, and such Examination may be taken by the Judge. A married Woman entitled to her separate Use, and not restrained from Anticipation, shall, for the Purposes of this Act, be deemed a Feme Sole.

Provision for other Persons under Disability.

61. Where any Person who (if not under Disability) might have made any Application, given any Consent, done any Act, or been Party to any Proceeding under this Act, is a Minor, Idiot, or Lunatic, the Guardian or Committee of the Estate respectively of such Person may, with the Assent of a Judge, make such Applications, give such Consents, do such Acts, and be Party to such Proceedings as such Person respectively if free from Disability might have made, given, done, or been Party to, and shall otherwise, with such Assent as aforesaid, represent such Person for the Purposes of this Act. Where there is no Guardian or Committee of the Estate of any such Person as aforesaid, being infant, idiot, or lunatic, or where any Person, the Committee of whose Estates if he were idiot or lunatic would be authorized to act for and represent such Person under this Act, is of unsound Mind or incapable of managing his Affairs, but has not been found idiot or lunatic under an Inquisition, it shall be lawful for a Judge to appoint a Guardian of such Person for the Purpose of any Proceedings

ings under this Act, and from Time to Time to change such Guardian; and where a Judge sees fit he may appoint a Person to act as the next Friend of a married Woman for the Purpose of any Proceeding under this Act, and from Time to Time remove or change such next Friend.

62. The Record shall be under the Management of the following principal Officers of the Landed Estates Court; *viz.*, the Examiners and the Registrar, or of such One of them as the Judges shall from Time to Time direct, and in case of his Absence the Judges shall appoint One other of the said Officers to supply his Place; and the Judges shall adjust the Duties now performed by the said Officers in such Manner as may appear expedient for the Purposes aforesaid, and shall so arrange the same that some One of the said Officers shall be in attendance daily (except as aforesaid) throughout the Year; and there shall be paid to such Officers or any of them, or to any other Officer or Clerk of the Court whose Duties shall be increased by the Operation of this Act, such Sum by way of increased annual Salary as the Commissioners of Her Majesty's Treasury shall approve, on the Recommendation of the said Judges. If the Lord Chancellor of *Ireland* shall now or at any Time hereafter consider it necessary or expedient, having regard to the Business of the Court, that additional Clerks should be appointed, it shall be lawful for the Judges, with the Consent of the said Commissioners, to appoint such additional Clerks to assist in carrying out this Act, and there shall be paid to such Clerks such Salaries as the Judges, with the Assent of the said Commissioners, shall appoint; and such Clerks shall be removeable by the joint Order of the said Judges, with the Sanction of the Lord Chancellor, and shall be subject to the same Regulations, and shall hold their Offices during Pleasure, and in other respects on the same Conditions, and shall be paid out of the same Funds, and in the same Manner, as the other Clerks of the Court; and all other Expenses of carrying out this Act shall be paid out of such Monies as shall be provided by Parliament.

Record to be under Management of certain Officers of the Court.

Arrangements to be made for constant Attendance, &c.

Power to appoint additional Clerks to assist in the Office, if necessary.

63. All Applications to the Judge under this Act shall be made in Chamber, and such Judge may direct any Matter before him to be argued in Court. Any Order or Decision or Direction of the Judge, excepting a Decision or Direction given under the Fortieth Section of this Act, shall be subject to the like Appeal to the Court of Chancery Appeal in *Ireland*, and thence to the House of Lords, as is provided by the said recited Act of the Twenty-first and Twenty-second Years of the Reign of Her Majesty.

Practice before the Judge, and Right of Appeal.

64. A Place

Address of recorded Owners, &c. to be given for the Purpose of serving Notices.

64. A Place of Address in *Ireland* shall be entered in a Book to be kept for that Purpose in the Court for every Person whose Name is entered on the Record as Owner of Land or of a Charge, or as a Cautioner, or as entitled to receive any Notice; or any such Person may, at his Option, give from Time to Time the Name and Address of any Solicitor of the Court to act on his Behalf. Notices shall be deemed sufficiently served if sent through the Notice Office of the Court, or by registered Post Letter to such Address as aforesaid.

A Scale of Costs may be framed for professional Services in regard to recorded Land.

65. The Judges of the Court may frame a Scale of Costs to be paid to Solicitors or certificated Conveyancers in respect of any Service rendered by them in relation to any recorded Estate or Charge, or any Matter connected therewith. Such Scale shall be framed with regard to the Skill and Trouble involved and the Amount of Property affected, and not with regard to the Length of the Documents prepared. Such Scale shall be submitted to the Lord Chancellor of *Ireland*, and shall be approved of by him before it shall be binding, and with the like Approval it may be varied. Such Scale shall be acted on by all Persons having by Law or by Consent of Parties Authority to tax or moderate Costs.

Forms in Schedule to be used, but may be varied if necessary.

66. The Forms contained in the Schedule hereto may be used, but they may be modified or altered to suit the Circumstances of every Case, and Deeds made in such altered Forms shall be equally valid and effectual.

Return of Business done to be sent in annually by the Judges.

67. On the Second of *November* of each Year after this Act shall come into operation the Judges shall furnish to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* a Return to be laid before Parliament showing the Number of Estates recorded under the Act during the Year, distinguishing those which are brought in and recorded under the Fifty-first Section of this Act, and distinguishing Estates and Interests under Settlements separately recorded as aforesaid; and the Return shall also show the Amount of Fees received during the Year pursuant to this Act.

Judges to frame a Schedule of Fees.

68. The Judges of the Court shall, with the Consent of the Commissioners of Her Majesty's Treasury, frame a Schedule of Fees to be received by the recording Officer in respect of the following Matters, *viz.*:

1. Transfers, Transmissions, and other Dealings with recorded Estates and Charges, having regard to the Value of the Estates and the Amounts of the Charges:

2. Recording

2. Recording of Estates under the Fifty-first Section of this Act, having regard to the Value of such Estates:
3. Entry and Cancellation of Official Notes or Entries; Lodgment of Caveats, and of Deeds and other Documents; Issue of Certificates, and other Acts to be done by the recording Officer:

The Judges may, with the Consent of the said Commissioners, from Time to Time lower or raise such Fees, or any of them; all Fees shall be paid over so as to form Part of the Consolidated Fund of *Great Britain* and *Ireland;* the recording Officer may also charge any Sum actually payable, according to a Scale to be sanctioned by the Judges, to a Surveyor, Printer, or Scrivener, for Services or Work necessarily done in respect of any Map, Entry, Certificate, or Copy under this Act; except as aforesaid, no Fees or Sums shall be received by any Officer or Clerk of the Court in respect of Proceedings under this Act.

Rules with regard to the Collection of Fees.

69. The following Rules shall be observed with respect to the Collection of Fees:

1. All Fees payable shall be received by Stamps denoting the Amount of Fees payable, and not in Money:
2. When any Fee is payable in respect of a Document, a Stamp denoting the Amount of Fee shall be affixed to or impressed on such Document:
3. Whenever an adhesive Stamp shall be used to denote Payment of any Fee, such Stamp shall be effectually cancelled in such Manner as the recording Officer shall direct, so as to be incapable of being used again:
4. The Commissioners of Inland Revenue shall provide everything that is necessary for the Collection of the Monies hereby directed to be paid by Stamps.

Stamp Acts in force to apply to Stamps provided under this Act.

70. The several Acts for the Time being in force relating to Stamps under the Care or Management of the Commissioners of Inland Revenue shall apply to the Stamps to be provided in pursuance of this Act, and to any Document on which such Stamps may be affixed or impressed, and to collecting and securing the Sums of Money denoted by Stamps, and to preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully as if such Provisions had been herein repeated and specially enacted with reference to the last-mentioned Stamps and Sums of Money respectively.

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SCHEDULE.

No. 1.—Form of Transfer of recorded Land.

I *A.B.*, the recorded Owner of the under-mentioned Land, pursuant to the "Record of Title Act, Ireland, 1865," in consideration of £ Sterling paid to me by *C.D.* of &c., do grant to the said *C.D.* all [*insert Description of Land taken from or referring to the Record, and refer to Map (if any)*], to hold to him and his Heirs for ever [*or otherwise, according to the Nature of the Interest transferred*]. Dated this Day .

Signed and sealed at the Record of Title Office, Landed Estates Court, Ireland, in my Presence, *K.F.* of a Solicitor of the Court.

Signature,
(*Seal.*)

I hereby accept the above Transfer.

Signature,
Address,

No. 2.—Form of Charge.

I *A.B.*, the recorded Owner of the under-mentioned Land, pursuant to the "Record of Title Act, Ireland, 1865," in consideration of £ Sterling lent to me by *G.H.* of , do charge in favour of the said *G.H.* the Hereditaments described in the Schedule hereto with the Principal Sum of £ repayable on the Day of , together with Interest thereon at the Rate of per Cent. [reducible to if paid within a Month after due], and payable half-yearly, every and . Dated this Day of .

Witness, &c., as above.

Signature,
(*Seal.*)

I hereby accept the above Charge.

Signature and Address,

Schedule above referred to.

N.B.—This Form may be adapted to the Case of an Annuity charged on Land.

No. 3.—Form of Transfer of Charge.

I, the within-named *G.H.*, the recorded Owner of a Charge under the "Record of Title Act, Ireland, 1865," in consideration of £ Sterling paid to me by *J.K.* of , do transfer to the said *J.K.* the [within mentioned]

mentioned] Charge, on which £ now remains due [together with Interest from the last Gale Day of Interest].

Witness, &c., } *Signature,*
as above. } (*Seal.*)
I hereby accept the above Transfer.
Signature and Address,

No. 4.—Form of Power of Attorney to Transfer.

I *A.B.*, the recorded Owner of Land [*or* a Charge] pursuant to the "Record of Title Act, Ireland, 1865," do hereby appoint *L.M.* of &c., Solicitor, my Attorney, for the Purpose of [transferring to *S.T.* of &c., absolutely] all my Hereditaments, as entered and described in the Record of Title, under Folio [Tyrone, No. 129], and my Estate therein [*or* my Charge, *describing it*].

Signature,

Witness, &c.

(*Seal.*)

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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RA

***

Greenwich Hospital.

Enactments described in Schedule repealed.

4. From and after the Commencement of this Act the Enactments described in the Schedule to this Act shall be repealed, but this Repeal shall not affect the past Operation of any such Enactment, or anything done, or Right, Title, Obligation, or Liability accrued, under any such Enactment before the Commencement of this Act, or any Offence against any such Enactment committed before the Commencement of this Act, or any Punishment, Forfeiture, Remedy, or Proceeding in respect thereof.

Pensions, Gratuities, and Allowances.

Power to order new Pensions, &c.

5. It shall be lawful for Her Majesty in Council from Time to Time, by Order in Council, to appoint such Pensions as seem fit to Officers, Non-commissioned Officers, and Men of the Royal Navy and Marines, and Seamen of the Merchant Service for the Time being entitled to the Benefits of *Greenwich* Hospital, to be enjoyed by them so long only as they are not on the Establishment or Inmates of *Greenwich* Hospital, but in addition to any Half Pay, Pension, or other Allowance coming to them otherwise than under any such Order in Council,—and to prescribe the Conditions on which such Pensions are to be held,—and to appoint such Gratuities as seem fit to Widows of Non-commissioned Officers and Men of the Royal Navy and Marines killed or drowned in the Service of the Crown.

Power to grant Allowances to present Inmates.

6. The Admiralty may from Time to Time appoint to any Non-commissioned Officers and Men of the Royal Navy and Marines who were on the Sixth Day of *April* One thousand eight hundred and sixty-five Inmates of *Greenwich* Hospital, and who being Inmates thereof after the Commencement of this Act are willing to cease to be Inmates thereof, such Allowances as seem fit, not exceeding the Rates of Money Allowance of which, on the Sixth Day of *April* One thousand eight hundred and sixty-five, they were in receipt as Inmates of the Hospital, to be enjoyed by them respectively in addition to any Pensions appointed to them under any such Order in Council.

Name of Pensions, &c.

7. Pensions and Gratuities under any such Order in Council and such Allowances shall be distinguished as *Greenwich* Hospital Pensions, Gratuities, and Allowances (as the Case may be); and the Pensions now known as *Greenwich* Out Pensions shall be called Naval Pensions.

Assignments, &c. void.

8. Any Assignment, Sale, or Contract of or relating to any *Greenwich* Hospital Pension, Gratuity, or Allowance, other than such as may be made or entered into under the Authority of and in conformity with any Order in Council under this Act, shall be void.

9. *Greenwich*

Greenwich Hospital.

9. *Greenwich* Hospital Pensions, Gratuities, and Allowances shall be in the first instance defrayed out of Money to be provided by Parliament for that Purpose.

Pensions, &c. to be voted.

Alteration of Establishment.

10. On the Commencement of this Act the several Offices of the Commissioners and of the Governor and of the Lieutenant Governor of *Greenwich* Hospital shall be abolished.

Abolition of Commissioners, &c.

11. On the Commencement of this Act, or at any Time and from Time to Time thereafter, if and when for the better Execution of the Purposes of this Act it seems expedient, the Admiralty may remove from Office all or any Officers, Military or Civil, on the Establishment of *Greenwich* Hospital, and may remove from Employment all or any Clerks or Persons employed in connexion with the Hospital.

Power to remove other Officers, &c.

12. Out of the Funded Property of *Greenwich* Hospital there shall be purchased from the Commissioners for the Reduction of the National Debt and provided (subject and according to the Provisions of the Acts relating to the Purchase of Annuities from the Commissioners for the Reduction of the National Debt) for each of the Persons holding Office at the Commencement of this Act as the Commissioners of *Greenwich* Hospital (other than the *ex officio* Commissioners), and for the Governor and the Lieutenant Governor of the Hospital, and for each Officer, Military or Civil, on the Establishment of the Hospital, remunerated by Salary, who is removed from Office by the Admiralty under the Provisions of this Act, an Annuity for his Life equal in Amount to the Value of the Salary and Emoluments attached to the Office of Commissioner, Governor, or Lieutenant Governor (as the Case may be), or to the Office from which each such Officer is so removed.

Annuities to be provided for Commissioners, &c.

13. Provided, That if any Commissioner, or any Officer who is removed from Office as aforesaid, is at the Commencement of this Act entitled to receive, in addition to the Salary of his Office, any Superannuation Allowance in respect of any former Employment in the Civil Service of the Crown, he shall be entitled to continue to receive, in addition to such Annuity as aforesaid, the Amount of Superannuation Allowance which he is at the Commencement of this Act so entitled to receive, and no more.

Continuance of Superannuation Allowance.

14. Provided also, That the Officers holding the Offices of Governor and Lieutenant Governor of *Greenwich* Hospital at the Commencement of this Act may retain their Titles as such, and may continue to occupy their Official Residences in the Hospital, and to enjoy

As to Titles, &c. of Governor and Lieut. Governor.

enjoy the Allowances and Emoluments incident to those Residences; and in case the Governor or the Lieutenant Governor elects to continue to occupy his Official Residence, the Amount of the Annuity to be purchased for him as aforesaid shall be diminished by the annual Value to him of the Residence and of the Emoluments and Allowances incident thereto.

Appointment of Visitor and Governor.

15. Provided further, That on the Death of the Officer holding the Office of Governor of *Greenwich* Hospital at the Commencement of this Act, the Admiralty may appoint an Officer of the Royal Navy of Rank not lower than that of Vice Admiral to be Visitor and Governor of *Greenwich* Hospital during good Behaviour, and from Time to Time on any Vacancy in the said Office may appoint a Successor with the like Qualification, and may (subject to the Approval of Her Majesty in Council) fix the Salary of such Officer, and may from Time to Time assign to him as Visitor such Duties as seem fit, but so that he be not authorized to interfere with the ordinary Government of the Hospital or of the Schools thereof.

Annuities to be provided for Clerks, &c., if removed.

16. Out of the Funded Property of *Greenwich* Hospital there shall be purchased as aforesaid and provided for each Clerk or other Person employed in a subordinate Civil Capacity in connexion with *Greenwich* Hospital, and remunerated wholly or in part by Salary, who is removed from Employment by the Admiralty under the Provisions of this Act, an Annuity not less in Amount than the Superannuation Allowance to which a Person subject to The Superannuation Act, 1859, would under like Circumstances be entitled on Abolition of his Office.

Annuity to be held with Half Pay, &c.

17. Every Annuity provided as aforesaid shall be held and enjoyed by the Person for whom it is provided without Prejudice to his Right (if any) to the continued Receipt of any Naval or Military Pension or Half Pay which he received while holding the Office of Commissioner, Governor, or Lieutenant Governor, or while holding such other Office or Employment as aforesaid, subject, however, to the subsequent Provisions of this Act.

Power to require Clerks for whom Annuities have been provided to serve in any suitable Capacity.

18. The Admiralty may at any Time require any Clerk or other Person employed in a subordinate Civil Capacity in connexion with *Greenwich* Hospital, for whom an Annuity is provided as aforesaid, to serve in *England* under the Admiralty in any suitable Civil Capacity, regard being had to the former Position of such Person in connexion with the Hospital, and at a Salary not less than the Amount of the Emoluments of his Employment in connexion with the

Greenwich Hospital.

the Hospital; and if any such Clerk or other Person being required fails so to serve, the Admiralty may direct that the Annuity so provided for him cease to be paid to him, and the same shall so cease, and shall revert to and be deemed Part of the Income of *Greenwich* Hospital.

Provision as to Annuities on Appointment to Offices.

19. Where any Commissioner, Officer, Clerk or Person, while in receipt of an Annuity provided as aforesaid, is appointed to any Office under the Crown or under the Admiralty, then, if the Annuity is equal to or greater than the annual Emoluments of the Office to which he is appointed, the Annuity shall be received by him in full Discharge of those Emoluments, and if the Annuity is less than those Emoluments, the Amount of the Annuity shall be received by him in discharge of an equal Amount of those Emoluments.

Hospital and Schools.

As to Government of the Hospital, &c.

20. The Government of *Greenwich* Hospital and of the Schools of the Hospital, including the Authority to establish from Time to Time Regulations for the Admission of Inmates into the Hospital and of Children into the Schools, shall be vested exclusively in the Admiralty, but any such Regulations shall not have effect unless and until they are approved by Her Majesty in Council; and the Admiralty shall from Time to Time continue or appoint such Officers, Clerks, and Servants for the Purposes of the Hospital and Schools as seem fit, and may (subject to the Approval of Her Majesty in Council) fix the Salaries of such Officers and Clerks, and may regulate the Wages of such Servants, and may from Time to Time remove any of the Officers, Clerks, and Servants, and appoint others in their Stead.

Expenses to be paid out of Money provided by Parliament.

21. From and after the Commencement of this Act the Expenses of the Maintenance and Government of *Greenwich* Hospital and of the Schools of the Hospital shall be in the first instance defrayed out of Money to be provided by Parliament for that Purpose.

Property.

As to Transfer of Real Property.

22. All Lands which at the Commencement of this Act are by virtue of any Act of Parliament or Letters Patent, or otherwise, settled on or vested in or held by or in trust for the Commissioners of *Greenwich* Hospital, shall thenceforth, by virtue of this Act, remain and be settled on and vested in the Admiralty for the Time being for such Estate or Interest as at the Commencement of this Act the Commissioners of *Greenwich* Hospital have therein.

 23. All

Greenwich Hospital.

Lands to be held for Benefit of Hospital and subject to this Act and 27 & 28 Vict. c. 57.

23. All Lands vested in the Admiralty by virtue of this Act shall go to and be held by the Lord High Admiral for the Time being or the Commissioners for the Time being for executing the Office of Lord High Admiral, in succession, in trust for Her Majesty, Her Heirs and Successors, for the exclusive Benefit of *Greenwich* Hospital; and, subject thereto and to the other Provisions of this Act, the same shall be held in the same Manner, and with, under, and according to the same Powers, Restrictions, and Provisions, as Lands vested in the Admiralty under The Admiralty Lands and Works Act, 1864.

Quitrents, &c. for Lands.

24. Lands vested in the Admiralty by virtue of this Act shall continue subject to any Quitrents, Crown Rents, and Duchy Rents to which the same are respectively liable, as if this Act had not been passed.

Services of Tenants.

25. On the Death of every successive Queen or King of this Realm, and at all other customary Times, all such Acts and Services shall be done and performed, and all such Fines and Sums of Money shall be paid, by the Tenants of the Lands vested in the Admiralty by virtue of this Act, as by ancient Tenure, or by any Contract, Law, or Custom, or otherwise, have been or ought to be done, performed, and paid by them, and as if this Act had not been passed; and on their Default the same Forfeitures and Penalties shall accrue as would have accrued if the said Lands were vested in Her Majesty, Her Heirs and Successors, individually and not in a political Capacity, and as if this Act had not been passed.

Protection of existing Leases.

26. Every Lease made before the Commencement of this Act of Lands of *Greenwich* Hospital shall be as valid and binding in favour of and against the Admiralty as if the Admiralty had been therein named as the Lessors.

Payment of Rents and Profits into Bank.

27. The Rents and Profits of the Lands vested in the Admiralty by virtue of this Act shall, as and when received, be paid, without Deduction, into the Bank of *England*, to the Cash Account of Her Majesty's Paymaster General, who shall keep in his Books a separate Account to be called The *Greenwich* Hospital Income Account, and shall carry thereto the Sums so paid in.

Expenses of Management, &c.

28. The Expenses of Management of the Lands vested in the Admiralty by virtue of this Act, and all necessary and proper Outgoings in respect thereof, shall be defrayed, under the Direction of the Admiralty, out of the Money for the Time being standing to the Credit of the *Greenwich* Hospital Income Account.

29. The

29. The Power of the Admiralty to make Leases of any of the Lands vested in them by virtue of this Act shall be exercised subject and according to the following Restrictions and Provisions: Restrictions on leasing.

First, The Term of an Agricultural Lease shall not exceed Twenty-one Years, of a Building Lease Ninety-nine Years, and of a Mining Lease Forty-two Years:

Secondly, Every Lease shall take effect in Possession and not in Reversion, and there shall be reserved thereby the best yearly Rent, to be incident to the immediate Reversion, that can reasonably be gotten; and a Fine or anything in the Nature thereof shall not be taken:

Thirdly, There shall be contained in every Lease a Condition of Re-entry for Nonpayment of Rent:

Fourthly, The Lessee shall execute a Counterpart of every Lease, and shall thereby covenant for Payment of the Rent thereby reserved:

Fifthly, In the Case of an Agricultural or Building Lease, the Lessee shall not be made dispunishable for Waste:

Sixthly, In the Case of a Building Lease a Rent smaller than the Rent ultimately payable may be reserved for all or any Part of the first Five Years of the Term:

Seventhly, In the Case of a Mining Lease, Rent may be reserved by way of Toll, Duty, Royalty, or Reservation, by the Acre, the Ton, or otherwise.

BENGAL SECRETARIAT LIBRARY

30. The Admiralty, with the Approval of Her Majesty in Council, may from Time to Time make free Grants of Land Part of the Lands vested in them by virtue of this Act, and Grants of Money, for the Erection of Buildings and providing Conveniences for Places of Worship, Residence of Ministers, Education of Children, or other public Purposes (so that any such Grant of Land do not include any Right to the Minerals under the Land granted, or comprise more than Two Acres in any One Parish). Power to make free Grants of Land for Places of Worship, &c.

31. Any Purchase Money paid to Her Majesty's Paymaster General in respect of any Part of the Lands vested in the Admiralty by virtue of this Act no longer required to be held by the Admiralty for the Benefit of the Hospital, and accordingly sold by them under the Powers of The Admiralty Lands and Works Act, 1864, as applied by this Act, shall be carried by him to an Account to be called The *Greenwich* Hospital Capital Account. As to Purchase Money of Land sold.

32. On or as soon as may be after the Commencement of this Act the Governor and Company of the Bank of *England* shall, on Requisition in Writing from the Admiralty, cause all Bank Annuities Transfer of Stock.

Annuities then standing in the Books of the Governor and Company of the Bank of *England* in the Names of the Commissioners of *Greenwich* Hospital to be transferred to an Account to be called The Account of the Lord High Admiral or Commissioners of the Admiralty for the Time being *ex parte Greenwich* Hospital, and the same shall belong to the Admiralty on behalf of Her Majesty for the exclusive Benefit of *Greenwich* Hospital.

Payment of Dividends.

33. The Governor and Company of the Bank of *England* shall from Time to Time, under the Direction of the Admiralty, place to the Cash Account of Her Majesty's Paymaster General the Dividends for the Time being accrued due in respect of the Bank Annuities held by the Admiralty for the Benefit of *Greenwich* Hospital (inclusive of any such Dividend accrued due but not paid before the Commencement of this Act), and the same shall be carried to the *Greenwich* Hospital Income Account.

Transfer of Cash Balances.

34. On the Commencement of this Act the Governor and Company of the Bank of *England* shall transfer any Cash Balance then standing in their Books belonging to the Commissioners of *Greenwich* Hospital to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the *Greenwich* Hospital Income Account.

Transfer of other Personal Property.

35. All Personal Property not in the foregoing Provisions specified belonging to the Commissioners of *Greenwich* Hospital is hereby vested in Her Majesty and Her Successors, for the exclusive Benefit of *Greenwich* Hospital.

Payment of other Income.

36. All Income not in the foregoing Provisions specified arising from Property held for the Benefit of *Greenwich* Hospital, or otherwise accruing to the Hospital, shall be paid into the Bank of *England* to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the *Greenwich* Hospital Income Account.

Not to affect Sect. 2. of 4 & 5 W. 4. c. 34. as to Charge on Consolidated Fund.

37. Nothing in this Act shall affect the Provisions of Section Two of the Act of the Session of the Fourth and Fifth Years of the Reign of King *William* the Fourth (Chapter Thirty-four), "to repeal the "Laws relating to the Contribution out of Merchant Seamen's "Wages towards the Support of the Royal Naval Hospital at "*Greenwich*, and for supplying other Funds in lieu thereof," whereby there is annually charged upon the Consolidated Fund of the United Kingdom the Sum of Twenty thousand Pounds, save only that after the Commencement of this Act that Sum shall be carried

carried to the *Greenwich* Hospital Income Account, instead of being paid to the Commissioners of *Greenwich* Hospital.

38. The Admiralty may from Time to Time, with a view to the Execution of any of the Purposes of this Act, or to a Change of Investment, convert into Money any Bank Annuities, Stocks, Funds, or Securities for the Time being held by them for the Benefit of *Greenwich* Hospital, and all such Money shall be paid into the Bank of *England* to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the *Greenwich* Hospital Capital Account. Conversion of Stock, &c.

39. Her Majesty's Paymaster General shall from Time to Time, under the Direction of the Admiralty, carry over such Sums as Circumstances require from the *Greenwich* Hospital Income Account to the *Greenwich* Hospital Capital Account, and *vice versâ*. Transfers between Capital and Income Accounts.

40. The Admiralty may from Time to Time lay out or invest any Cash standing to the *Greenwich* Hospital Capital Account in the Purchase of any Bank Annuities, or in or on any Stocks, Funds, or Securities the Principal or Interest whereof is charged on or payable, by way of Guarantee or otherwise, out of the Revenues of the United Kingdom or of *India*, or on Mortgage of Freehold Lands in the United Kingdom, or, with the Approval in each Instance of the Commissioners of Her Majesty's Treasury, in or on any other Stocks, Funds, or Securities, or, with the like Approval, in the Purchase of Lands. Change of Investment and Purchase of Lands.

41. The Provisions of The Admiralty Lands and Works Act, 1864, shall apply to and for the Purposes of every such Purchase of Lands. 27 & 28 Vict. c. 57. to apply to this Act.

42. Lands so purchased shall be assured to the Admiralty, and the same shall go and be held in the same Manner, and with, under, and according to the same Powers, Restrictions, and Provisions, as the Lands vested in the Admiralty by virtue of this Act. Vesting of Lands purchased.

43. Any Person may, notwithstanding any Statute passed or to be passed restraining Alienation in Mortmain or Dispositions for Charitable Uses, by Deed or Testamentary Writing, grant, give, or appoint any Property for any Estate or Interest for which he is empowered to dispose thereof, to be held for the Benefit of *Greenwich* Hospital; and the same (according to the Nature and Quality of such Property) shall accordingly be held as the Lands vested in the Admiralty by virtue of this Act are held, or as Personal Devises, &c. for Hospital.

Property by this Act vested in Her Majesty and Her Successors, for the Benefit of *Greenwich* Hospital, is held.

Sale of Advowsons to be arranged similar to those contained in 26 & 27 Vict. c. 120.

44. The Admiralty shall sell and convey the Advowsons of and Rights of Presentation to the Benefices and Perpetual Curacies belonging to *Greenwich* Hospital, discharged from the Provisions of any Act of Parliament relative thereto other than this Act, and subject and according to the Provisions of a Scheme to be prepared by the Admiralty with the Advice and Assistance of the Ecclesiastical Commissioners for *England*, and to be approved by Her Majesty in Council, the Arrangements made by such Scheme to be as nearly as Circumstances admit similar to the Arrangements contained in The Lord Chancellor's Augmentation Act (1863), subject to the following Provisions:

(1.) One Moiety of the Purchase Money received on any such Sale shall be applied to the Creation and Maintenance of a Fund for the Benefit of Retired Naval Chaplains, the Mode of Creation and Maintenance of the Fund and the Application thereof to be from Time to Time determined by Order in Council:

(2.) The other Moiety of the Purchase Money shall be applied to the Augmentation of the Income of any of the said Benefices and Perpetual Curacies in manner prescribed by any such Scheme:

The Draft of any such Scheme shall be laid before both Houses of Parliament One Month at least before the Scheme is submitted for the Approval of Her Majesty in Council.

Marked Stores to be deemed Naval Stores as in 27 & 28 Vict. c. 91.

45. The following Mark may be applied in or on Stores used or intended to be used for the Purposes of *Greenwich* Hospital, to denote Her Majesty's Property in Stores so marked, namely,—an Anchor, surmounted with a Naval Crown, with Two Flags over the Crown, and the Letter G on one Side, and the Letter H on the other Side; and Stores used or intended to be used as aforesaid shall be deemed Naval Stores within the Meaning of The Naval and Victualling Stores Act, 1864, and that Act shall apply thereto as if the Mark in the present Section described were described in the Schedule to that Act; and that Act shall apply to all Stores so marked before the Commencement of this Act becoming by virtue of this Act the Property of Her Majesty.

Comptroller of Hospital Estate.

46. There shall be an Officer styled The Comptroller of the *Greenwich* Hospital Estate, who shall be appointed by the Admiralty on behalf of Her Majesty, and shall hold Office during the Pleasure of the Admiralty, and shall have the general Superintendence,

dence, under the Direction of the Admiralty, of the Lands and other Property held for the Benefit of the Hospital.

Accounts, &c.

47. The Accountant General of the Navy shall annually prepare and submit to the Commissioners for auditing the Public Accounts Accounts of the Receipt and Expenditure of the Capital and of the Income derived from the Lands and Property held for the Benefit of *Greenwich* Hospital; and the Commissioners for auditing the Public Accounts shall audit the same as nearly as may be in like Manner as they audit the Accounts rendered by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and in relation to such Audit the Admiralty and the Commissioners for auditing the Public Accounts shall respectively have the like Powers, as nearly as may be, as the Commissioners of Her Majesty's Treasury and the Commissioners for auditing the Public Accounts respectively have in relation to the Audit of the Accounts rendered by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues. Audit of Accounts of Property.

48. The Accounts of all Money provided by Parliament for any of the Purposes of this Act shall be audited and allowed in the same Manner as the Accounts of Money granted and expended for Naval Services. Audit of Money voted.

49. The Admiralty shall lay all the several Accounts so audited, with the Report thereon of the Commissioners for auditing the Public Accounts, before both Houses of Parliament within Fourteen Days after the Completion of the Audit for each Year, if Parliament is then sitting, and if not, then within Fourteen Days after the next meeting of Parliament. Accounts to be laid before Parliament.

50. The Commissioners for auditing the Public Accounts shall, as soon as may be after the Completion of the Audit for each Year of Money provided by Parliament for any of the Purposes of this Act, furnish to the Admiralty a Certificate of the Amount expended in that Year out of Money so provided. Certificate of Amount expended.

51. In every Year, as soon as may be after the Receipt by the Admiralty of such Certificate from the Commissioners for auditing the Public Accounts, Her Majesty's Paymaster General shall under the Direction of the Admiralty pay from the *Greenwich* Hospital Income Account into the Receipt of Her Majesty's Exchequer a Sum, to be carried to and to form Part of the Consolidated Fund of the United Kingdom, equal to the Amount certified by such Certificate to have been expended in the Year to which the Certificate Repayment of Money expended to Consolidated Fund.

Certificate relates, together with a Sum equal to Fifteen Pounds *per* Head on the Number of Men by which the average Number of the Inmates of *Greenwich* Hospital during that Year falls short of One thousand four hundred; but with respect to the First Half Year after the Commencement of this Act a proportionate Part only of such last-mentioned Sum for that Half Year shall be paid.

Miscellaneous.

Actions by Admiralty.

52. The Admiralty may institute or defend any Action or Suit relative to any Lands contracted to be purchased or taken by the Admiralty for the Benefit of *Greenwich* Hospital, and may institute any Action of Ejectment or other Action or any Suit for recovering Possession of any Lands vested in or purchased or taken by the Admiralty for the Benefit of *Greenwich* Hospital, and may distrain or sue for any Arrears of Rent due to the Admiralty in respect thereof, and may institute any Action or Suit in respect of any Trespass or Encroachment committed thereon or Damage done thereto, or any other Action or Suit in respect thereof, and may defend any Action or Suit in respect thereof; and in every such Action or Suit the Admiralty may be styled "The Lord High Admiral of the United Kingdom," or "The Commissioners for executing the Office of Lord High Admiral of the United Kingdom," (as the Case requires,) without more; and any such Action or Suit shall not be affected by any Change in the Admiralty; and in any such Action or Suit the Admiralty shall be liable and entitled to pay or receive Costs according to the ordinary Law and Practice relative to Costs.

Saving Rights of Crown.

53. Nothing in this Act shall take away or abridge in any Action or Suit the legal Rights, Privileges, and Prerogatives of Her Majesty, Her Heirs and Successors, but in all Actions and Suits instituted by or against the Admiralty in relation to Lands held for the Benefit of *Greenwich* Hospital, and in all Proceedings and Matters connected therewith, the Admiralty may exercise and enjoy all such Rights, Privileges, and Prerogatives as are for the Time being exercised and enjoyed in any Action or Suit in any Court of Law or Equity by Her Majesty, Her Heirs or Successors, as if the Crown were actually a Party to such Action or Suit.

Power to sue by Information, &c.

54. Notwithstanding anything in this Act, it shall be lawful for Her Majesty, Her Heirs and Successors, to proceed by Information in the Court of Exchequer, or by any other Crown Process, legal or equitable, in any Case in which it would have been competent for Her Majesty, Her Heirs or Successors, so to proceed if no Provisions respecting Procedure had been inserted in this Act.

Greenwich Hospital.

55. All Debts and Obligations incurred, all Contracts entered into, and all Matters and Things engaged to be done by, with, or for the Commissioners of *Greenwich* Hospital shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the Admiralty on behalf of Her Majesty; and all such Debts, Obligations, Contracts, Matters, and Things shall be enforceable by or against the Admiralty on behalf of Her Majesty to the same Extent as the same would, if this Act had not passed, have been enforceable by or against the Commissioners of *Greenwich* Hospital. Transfer of Contracts, &c.

56. All Actions, Suits, and other legal Proceedings commenced, or which, if this Act had not been passed, might have been commenced, by or against the Commissioners of *Greenwich* Hospital, may be continued or instituted by or against the Admiralty on behalf of Her Majesty. Continuance of Actions, &c.

57. All Powers, Authorities, and Duties by this Act conferred and imposed on the Admiralty may be exercised and performed by any Two of the Commissioners of the Admiralty. Powers may be exercised by Two Lords.

58. In all Deeds, Powers of Attorney, and Instruments relating to any Lands, Stocks, Funds, Securities, Property, or Thing vested in, or standing in the Names of, or under the Control of the Admiralty for the Benefit of *Greenwich* Hospital, or whereto the Admiralty in relation to *Greenwich* Hospital are Parties, the Admiralty may be styled "The Lord High Admiral of the United Kingdom" or "The Commissioners for executing the Office of Lord High Admiral of the United Kingdom," (as the Case may require,) without the Name or Names of him or them or any of them being expressed. Style of Admiralty in Deeds, &c.

59. The Admiralty shall not, by reason of anything done or omitted to be done in the Execution or intended Execution of this Act, or in relation to any Lands vested in the Admiralty by virtue of this Act or purchased by the Admiralty under this Act, be liable collectively or individually to any Fine, Penalty, or Forfeiture, or to Execution of any Process against Person or Property. Protection of Admiralty.

60. Every Order in Council under this Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within One Month after the making thereof if Parliament is then sitting, and if not, then within One Month after the next meeting of Parliament. Publication &c. of Orders in Council.

SCHEDULE.

Enactments repealed.

10 Geo. 4 c. 25. in part	An Act to provide for the better Management of the Affairs of Greenwich Hospital - - Except Sections Thirty-five and Thirty-six.	:—
26 & 27 Vict. c. 67.	The Greenwich Hospital (Provision for Widows) Act, 1863	

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Fire Brigade (Metropolis).

Definition of "Metropolis Local Management Acts."

3. The Expression "Metropolis Local Management Acts" shall mean the Acts following; that is to say, "The Metropolis Management Act, 1855," "The Metropolis Management Amendment Act, 1856," and "The Metropolis Management Amendment Act, 1862."

Establishment and Duties of Fire Brigade.

Duty of Metropolitan Board in relation to Fires.

4. On and after the First Day of *January* One thousand eight hundred and sixty-six the Duty of extinguishing Fires and protecting Life and Property in case of Fire shall within the Metropolis be deemed for the Purposes of this Act to be entrusted to the Metropolitan Board of Works; and with a view to the Performance of that Duty it shall be lawful for them to provide and maintain an efficient Force of Firemen, and to furnish them with all such Fire Engines, Horses, Accoutrements, Tools, and Implements as may be necessary for the complete Equipment of the Force, or conducive to the efficient Performance of their Duties.

Purchase of Buildings and Land.

5. The said Board, herein-after referred to as the Board, may take on Lease, purchase, or otherwise acquire Stations for Engines, Stables, Houses for Firemen, and such other Houses, Buildings, or Land as they may think requisite for carrying into effect the Purposes of this Act, and may from Time to Time sell any Property acquired by or vested in them for the Purposes of this Act:

The Board may also contract with any Company or Persons authorized to establish the same for the Establishment of Telegraphic Communication between the several Stations in which their Fire Engines or Firemen are placed, and between any of such Stations and other Parts of the Metropolis.

Transfer of Plant of existing Fire Offices.

6. On and after the said First Day of *January* One thousand eight hundred and sixty-six all Stations, Fire Engines, Fire Escapes, Plant, and other Property belonging to or used by the Fire Engine Establishment of the Insurance Companies in the Metropolis shall vest in or be conveyed or assigned to the Board for all the Estate and Interest of the said Companies therein, upon trust to be applied by the Board to the Purposes of this Act, but subject to all legal Liabilities and Obligations attaching thereto, including the Payment of all Pensions that have been granted to the Members of the said Fire Engine Establishment, according to a List that has been furnished to the Chairman of the said Board by the Chief Officer of the said Fire Engine Establishment, and all Trustees for the same shall be indemnified against such Liabilities and Obligations. The Board may also, if they think fit, purchase the Stations, Fire Engines, and Plant belonging

ing to any Parish, Place, or Body of Persons within their Jurisdiction.

7. The Force of Firemen established under this Act, herein-after called the Metropolitan Fire Brigade, shall be under the Command of an Officer, to be called the Chief Officer of the Metropolitan Fire Brigade. Constitution of Fire Brigade.

The Chief Officer and Men composing the said Fire Brigade shall be appointed and removed at the Pleasure of the Board.

8. The Board shall pay such Salaries as they think expedient to the said Fire Brigade. They may also make such Regulations as they think fit with respect to the Compensation to be made to them in case of Accident, or to their Wives or Families in case of their Death; also with respect to the Pensions or Allowances to be paid to them in case of Retirement; also with respect to the Gratuities to be paid to Persons giving Notices of Fires; also with respect to Gratuities by way of a gross Sum or annual Payment to be from Time to Time awarded to any Member of the said Force, or to any other Person, for extraordinary Services performed in Cases of Fire; also with respect to Gratuities to Turncocks belonging to Waterworks from which a Supply of Water is quickly derived. Salaries of Fire Brigade.

9. The Board may by Byelaws make Regulations for the Training, Discipline, and good Conduct of the Men belonging to the said Fire Brigade, for their speedy Attendance with Engines, Fire Escapes, and all necessary Implements on the Occasion of any Alarm of Fire, and generally for the Maintenance in a due State of Efficiency of the said Brigade, and may annex to any Breach of such Regulations Penalties not exceeding in Amount Forty Shillings, but no Byelaw under this Section shall be of any Validity unless it is made and confirmed in manner directed by the Metropolis Local Management Acts; and all the Provisions of the said Acts relating to Byelaws shall, with the necessary Variations, apply to any Byelaws made in pursuance of this Act. Power to make Regulations for Fire Brigade.

10. The Vestry of any Parish or Place in the Metropolis may allow such Compensation as they think just to any Engine Keeper or other Person employed in the Service of Fire Engines who has hitherto been paid out of any Rate raiseable in such Parish or Place, and who is deprived of his Employment by or in consequence of the passing of this Act, and any Compensation so allowed shall be paid out of the Rate out of which the Salary of the Officer so compensated was payable. Compensation to Parish Officers.

11. The

Fire Brigade (Metropolis).

As to Purchase of Fire Escapes.

11. The Board may make such Arrangements as they think fit as to establishing Fire Escapes throughout the Metropolis. They may for that Purpose contribute to the Funds of the Royal Society for the Protection of Life from Fire, or of any existing Society that provides Fire Escapes, or may purchase or take by Agreement the Property of any existing Society in their Stations and Fire Escapes, and generally may maintain such Fire Escapes and do such Things as they think expedient towards aiding Persons to escape from Fire; and any Expenses incurred by them in pursuance of this Section shall be deemed to be Expenses incurred in carrying into effect this Act.

As to Powers of Fire Brigade.

12. On the Occasion of a Fire the Chief or other Officer in charge of the Fire Brigade may, in his Discretion, take the Command of any Volunteer Fire Brigade or other Persons who voluntarily place their Services at his Disposal, and may remove, or order any Fireman to remove, any Persons who interfere by their Presence with the Operations of the Fire Brigade, and generally he may take any Measures that appear expedient for the Protection of Life and Property, with Power by himself or his Men to break into or through, or take possession of, or pull down any Premises for the Purpose of putting an end to a Fire, doing as little Damage as possible; he may also on any such Occasion cause the Water to be shut off from the Mains and Pipes of any District, in order to give a greater Supply and Pressure of Water in the District in which the Fire has occurred; and no Water Company shall be liable to any Penalty or Claim by reason of any Interruption of the Supply of Water occasioned only by Compliance with the Provisions of this Section.

All Police Constables shall be authorized to aid the Fire Brigade in the Execution of their Duties. They may close any Street in or near which a Fire is burning, and they may of their own Motion, or on the Request of the Chief or other Officer of the Fire Brigade, remove any Persons who interfere by their Presence with the Operations of the Fire Brigade.

Any Damage occasioned by the Fire Brigade in the due Execution of their Duties shall be deemed to be Damage by Fire within the Meaning of any Policy of Insurance against Fire.

Expenses.

Contributions by Insurance Offices.

13. Every Insurance Company that insures from Fire any Property in the Metropolis shall pay annually to the Metropolitan Board of Works, by way of Contribution toward the Expenses of carrying this Act into effect, a Sum after the Rate of Thirty-five Pounds in the One million Pounds on the gross Amounts insured by it, except by way of Reassurance, in respect of Property in the Metropolis for a Year,

a Year, and at a like Rate for any fractional Part of a Million, and for any fractional Part of a Year as well as for any Number of Years for which the Insurance may be made, renewed, or continued.

The said Payments by Insurance Companies shall be made quarterly in advance, on the First of *January*, First of *April*, First of *July*, and First of *October* in every Year; the First of such Payments to be made on the First of *January* One thousand eight hundred and sixty-six, and such First Payment and the other Payments for the Year One thousand eight hundred and sixty-six to be based upon the Amounts insured by the several Companies in respect of Property in the Metropolis in the Year ending the Twenty-fourth of *December* One thousand eight hundred and sixty-four: Provided that any Insurance Company which at the Time of the passing of this Act contributes to the Expenses of the said Fire Engine Establishment may, in respect of all Payments to be made by it in the Years One thousand eight hundred and sixty-six and One thousand eight hundred and sixty-seven, but not afterwards, contribute after the yearly Rate of Thirty-five Pounds in One million Pounds of the Business in respect of which it contributes to the said Fire Engine Establishment for the present Year, according to a Return which has been furnished to the Chairman of the said Metropolitan Board, instead of in the Manner in this Act provided.

Mode of enforcing Contributions.

14. All Contributions due from an Insurance Company to the Board in pursuance of this Act shall be deemed to be Specialty Debts due from the Company to the Board, and be recovered accordingly.

Mode of ascertaining Proportions of Contribution.

15. For the Purpose of ascertaining the Amount to be contributed by every such Insurance Company as aforesaid, every Insurance Company insuring Property from Fire in the Metropolis shall, on the Thirtieth Day of *December* One thousand eight hundred and sixty-five, with respect to the Amounts insured in the Year One thousand eight hundred and sixty-four, and on the First of *June* One thousand eight hundred and sixty-six, and on every succeeding First of *June*, or on such other Days as the Metropolitan Board of Works may appoint, make a Return to the said Board, in such Form as they may require, of the gross Amount insured by it in respect of Property in the Metropolis.

There shall be annexed to the Return so made a Declaration made by the Secretary or other Officer performing the Duties of Secretary of the Company by whom it is made, stating that he has examined the Return with the Books of the Company, and that to the best of his Knowledge, Information, and Belief it contains a

true and faithful Account of the gross Amount of the Sums insured by the Company to which he belongs in respect of Property in the Metropolis.

The Return made in the *June* of one Year shall not come into Effect till the First of *January* of the succeeding Year, and shall be the Basis of the Contributions for that Year.

Penalty on Insurance Company not making Return.

16. If any Insurance Company makes default in making such Returns to the Board as are required by this Act, it shall be liable to a Penalty not exceeding Five Pounds for every Day during which it is so in default.

Examination of Books of Insurance Companies.

17. The Secretary or other Officer having the Custody of the Books and Papers of any Insurance Company that is required to pay a Contribution to the Board in pursuance of this Act shall allow any Officer appointed by the Board to inspect, during the Hours of Business, any Books and Papers that will enable him to ascertain the Amount of Property insured by such Company in the Metropolis, and the Amount for which it is insured, and to make Extracts from such Books or Papers; and any Secretary or other such Officer as aforesaid of a Company failing to comply with the Requisitions of this Section in respect of such Inspections and Extracts shall be liable on summary Conviction to a Penalty not exceeding Five Pounds for each Offence.

Contributions by Government towards Expense of Brigade.

18. The Commissioners of Her Majesty's Treasury shall pay or cause to be paid to the Board by way of Contribution to the Expenses of maintaining the Fire Brigade such Sums as Parliament may from Time to Time grant for that Purpose, not exceeding in any One Year the Sum of Ten thousand Pounds.

Expenses of Act not specially provided for.

19. For the Purpose of defraying all Expenses that may be incurred by the Board in carrying into effect this Act which are not otherwise provided for, the Board may from Time to Time issue their Precepts to the Overseers of the Poor of every Parish or Place within the Metropolis, requiring the Overseers to pay over the Amount mentioned in the Precepts to the Treasurer of the Board or into a Bank to be named in the Precepts within Forty Days from the Delivery of the Precept.

The Overseers shall comply with the Requisitions of any such Precept by paying the Sums mentioned out of any Monies in their Hands applicable to the Relief of the Poor, or by levying the Amount required as Part of the Rate for the Relief of the Poor, but no Contribution required to be paid by any Parish or Place under this Section shall exceed in the whole in any One Year the Rate of One Halfpenny in the Pound on the full and fair annual Value of

of Property rateable to the Relief of the Poor within the said Parish or Place, such full and fair annual Value to be computed in all Parts of the Metropolis, exclusive of the City of *London*, according to the last Valuation for the Time being acted on in assessing the County Rate, or, where there is no County Rate, according to a like Estimate or Basis; and no Liberty, Precinct, or Place shall be exempt from the Rate leviable for the Purposes of this Act by reason of its being extra-parochial or otherwise; and in default of proper Officers in any Liberty, Precinct, or Place to assess or levy the said Rate, the Board may appoint such Officers, and add the Amount of any Expenses so incurred to the Amount to be raised by the next succeeding Rate in such Liberty, Precinct, or Place.

Overseers shall, for the Purposes of levying any Amount required to be levied by them under this Act, have the same Powers and be subject to the same Obligations as in levying a Rate for the Relief of the Poor.

The Word "Overseers" shall include any Persons or Bodies of Persons authorized or required to make and collect or cause to be collected Rates applicable to the Relief of the Poor; and such Persons or Bodies shall pay to the Board the Amount so mentioned in the Precept out of the said Rates.

Penalty on Nonpayment of Rate by Overseers.

20. In case the Amount ordered by any such Precept as aforesaid to be paid by the Overseers of any Parish or Place be not paid in manner directed by such Precept and within the Time therein specified for that Purpose, it shall be lawful for any Justice of the Peace, upon the Complaint by the Board or by any Person authorized by the Board, to issue his Warrant for levying the Amount or so much thereof as may be in arrear by Distress and Sale of the Goods of all or any of the said Overseers, and in case the Goods of all the Overseers be not sufficient to pay the same, the Arrears thereof shall be added to the Amount of the next Levy which is directed to be made in such Parish or Place for the Purposes of this Act, and shall be collected by the like Methods.

Power to Board, with Consent of Treasury, to borrow not exceeding 40,000*l.*

21. The Board may, with the Consent of the Commissioners of Her Majesty's Treasury, borrow any Sum not exceeding Forty thousand Pounds, and apply the same for the Purposes of this Act; and all Powers contained in the Metropolis Local Management Acts authorizing the Board to borrow Money, or any Commissioners or Persons to lend Money to the Board, and all other Provisions as to the Mode of borrowing, the Repayment of Principal or Interest, or in anywise relating to borrowing by the Board, shall be deemed to apply and to extend to this Act in the same Manner as if the Monies borrowed in pursuance of this Act were Monies borrowed for

for the Purpose of defraying the Expenses of the Metropolis Local Management Acts, or One or more of those Acts. The Board shall apply the Monies received by them under this Act in liquidation of the Principal and Interest of the Monies so borrowed, but no Creditor shall be concerned to see to such Application, or be liable for any Misapplication of the Monies received or borrowed by the Board in pursuance of this Act.

Miscellaneous.

Power to turn discharged Officers or Men out of Houses provided for them.

22. Where any Chief Officer, or other Person who has been employed by the Board in any Capacity under this Act, and has been discharged therefrom, continues to occupy any House or Building that may be provided for his Use, or any Part thereof, after One Week's Notice in Writing from the Board to deliver up Possession thereof, it shall be lawful for any Police Magistrate, on the Oath of One Witness, stating such Notice to have been given, by Warrant under his Hand to order any Constable to enter into the House or Building occupied by such discharged Chief Officer or other Person as aforesaid, and to remove him and his Family and Servants therefrom, and afterwards to deliver the Possession thereof to the Board, as effectually, to all Intents and Purposes, as the Sheriff having Jurisdiction within the Place where such House or Building is situate might lawfully do by virtue of a Writ of Possession or a Judgment at Law.

Penalty where Chimneys are on fire.

23. If the Chimney of any House or other Building within the Metropolis is on fire, the Occupier of such House or Building shall be liable to a Penalty not exceeding Twenty Shillings; but if such Occupier proves that he has incurred such Penalty by reason of the Neglect or wilful Default of any other Person, he may recover summarily from such Person the whole or any Part of the Penalty he may have incurred as Occupier.

Recovery of Penalties.

24. All Penalties imposed by this Act, or by any Byelaw made in pursuance thereof, and all Expenses and other Sums due to the Board in pursuance of this Act, in respect of which no Mode of Recovery is prescribed, may be recovered summarily before Two Justices in manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three, or any Act amending the same, and when so recovered shall be paid to the Treasurer of the Board, notwithstanding any Police Act or other Act of Parliament directing a different Appropriation of such Monies.

25. Any

25. Any Dispute or other Matter which is by this Act directed to be determined summarily by Two Justices shall be deemed to be a Matter in respect of which a Complaint is made upon which they have Authority by Law to make an Order for Payment of Money within the Meaning of the said Act of the Session holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three, or any Act amending the same.

Summary Proceedings for determining certain Matters.

26. Any Act, Power, or Jurisdiction hereby authorized to be done or exercised by Two Justices may be done or exercised by the following Magistrates within their respective Jurisdictions; that is to say, by any Metropolitan Police Magistrate sitting alone at a Police Court or other appointed Place, or by the Lord Mayor of the City of *London*, or any Alderman of the said City, sitting alone or with others at the Mansion House or Guildhall.

Extension of Powers given to Two Justices.

27. The Accounts of the Board in respect of Expenses incurred by them under this Act shall be audited in the same Manner as if they were Expenses incurred under the said Metropolis Local Management Acts, and the Board shall in each Year make a Report to One of Her Majesty's Principal Secretaries of State of all Acts done and Expenditure incurred by them in pursuance of this Act, and that Report shall be laid before Parliament within One Month after the Commencement of the Session.

Audit of Accounts, and Report by Board.

28. The Board may delegate any Powers conferred on them by this Act to a Committee of their Body; and such Committee shall, to the Extent to which such Powers are delegated, be deemed to be the Board within the Meaning of this Act.

Power to delegate Powers of Board to a Committee.

29. If the Companies insuring Property within the Metropolis, or any such Number of them as may in the Opinion of the said Board be sufficient, establish a Force of Men charged with the Duty of attending at Fires and saving insured Property, it shall be the Duty of the Fire Brigade, with the Sanction of the Board, and subject to any Regulations that may be made by the Board, to afford the necessary Assistance to that Force in the Performance of their Duties, and, upon the Application of any Officer of that Force, to hand over to their Custody Property that may be saved from Fire; and no Charge shall be made by the said Board for the Services thus rendered by the Fire Brigade.

Establishment of Salvage Force by Insurance Offices.

30. It shall be lawful for the Board, when Occasion requires, to permit any Part of the Fire Brigade Establishment, with their Engines, Escapes, and other Implements, to proceed beyond the Limits

Brigade when employed beyond the

Metropolis, or on special Services.

Limits of the Metropolis for the Purpose of extinguishing Fires. In such Case the Owner and Occupier of the Property where the Fire has occurred shall be jointly and severally liable to defray all the Expenses that may be incurred by the Fire Brigade in attending the Fire, and shall pay to the Board a reasonable Charge for the Attendance of the Fire Brigade, and the Use of their Engines, Escapes, and other Implements. In case of Difference between the Board and the Owner and Occupier of such Property, or either of them, the Amount of the Expenses, as well as the Propriety of the Fire Brigade attending such Fire (if the Propriety thereof be disputed), shall be summarily determined by Two Justices. In default of Payment, any Expenses under this Section may be recovered by the Board in a summary Manner.

The Board may also permit any Part of the Fire Brigade Establishment to be employed on special Services upon such Terms of Remuneration as the said Board may think just.

Board to send Information of Fires to Offices.

31. The Metropolitan Fire Brigade shall in the Morning of each Day, with the Exception of *Sundays*, send Information, by Post or otherwise, to all the Insurance Offices contributing for the Purposes of this Act, of all Fires which have taken place within the Metropolis since the preceding Return, in such Form as may be agreed upon between the Board and the said Companies.

Transfer to Board of Powers of Parishes as to Fireplugs.

32. All the Powers now exercised by any Local Body or Officer within the Metropolis as respects Fireplugs shall henceforth be exercised by the Board, and the Board shall be entitled to receive Copies or Extracts of all Plans kept by any Water Company under the Provision of the Act of the Session of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-four; and every such Water Company shall provide at the Expense of the Board in any Mains or Pipes within the Metropolis Plugs for the Supply of Water in case of Fire at such Places, of such Dimensions, and in such Form as the Board may require, and the Fire Brigade shall be at liberty to make such Use thereof as they may deem necessary for the Purpose of extinguishing any Fire; and every such Company shall deposit Keys of all their Fireplugs at such Places as may be appointed by the Board, and the Board may put up on any House or Building a public Notice in some conspicuous Place in each Street in which a Fireplug is situated, showing its Situation.

Definition of "Owner."

33. "Owner" in this Act shall mean the Person for the Time being receiving the Rackrent of the Premises in connexion with which the Word is used, either on his own Account or as Agent or Trustee

Trustee for some other Person, or who would receive the same if the Premises were let at Rackrent.

Repeal.

34. On and after the First Day of *January* One thousand eight hundred and sixty-six there shall be repealed so much as is unrepealed of an Act passed in the Fourteenth Year of His late Majesty King *George* the Third, Chapter Seventy-eight, and intituled *An Act for the further and better Regulation of Buildings and Party Walls, and for the more effectually preventing Mischief by Fire, within the Cities of* London *and* Westminster *and the Liberties thereof, and other the Parishes, Precincts, and Places within the Weekly Bills of Mortality, the Parishes of* St. Marylebone, Paddington, St. Pancras, *and* St. Luke *at* Chelsea, *in the County of* Middlesex, *and for indemnifying, under certain Conditions, Builders and other Persons against the Penalties to which they are or may be liable for erecting Buildings within the Limits aforesaid contrary to Law,* with the Exception of Sections Eighty-three and Eighty-six which shall remain in full Force, but such Repeal shall not affect any Penalty or Liability incurred under the repealed Sections.

Partial Repeal of unrepealed Sections of 14 G. 3. c. 78.

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35. On and after the First Day of *January* One thousand eight hundred and sixty-six Section Forty-four of an Act passed in the Session holden in the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Ninety, shall be repealed so far as respects any Parish or Place within the Limits of the Metropolis as defined by this Act; provided that the Repeal of the said Section shall not affect the Power of the Churchwardens and Overseers of any Parish or Place to contribute to the Funds of any Society that at the Time of the passing of this Act maintains Fire Escapes in such Parish or Place, unless and until the Board purchases the Property of such Society, or otherwise provides Fire Escapes in such Parish or Place.

Partial Repeal of 3 & 4 W. 4. c. 90.

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to in the Schedule hereto have been made by Her Majesty's Principal Secretary of State for the Home Department, and there are stated in the said Schedule the Dates of such Orders, and such Particulars relating thereto as are therein specified: And whereas it is expedient that the said Provisional Orders should be confirmed and made absolute: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders confirmed.

1. The several Provisional Orders, the Dates of which are set forth in the First Column of the said Schedule, are hereby confirmed, and the Provisions thereof shall be of the like Force and Effect as if they had been expressly enacted by Parliament.

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SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Dates from which reduced Rate of Interest to commence.
1864.		£ s. d.		
4 Aug.	2 W. 4. c. 64., "An Act for making a "Turnpike Road from the Parish of "Cann Saint Rumbold near Shaftesbury in the County of Dorset, "through Cranbourne Chase and the "New Forest, to the Bell Inn at "Brook in the Parish of Bramshaw "in the County of Southampton, "together with Two Branches therefrom" - - - -	3,950 0 0	1*s.* per Cent.	31 Dec. 1863 (Arrears extinguished).
31 Oct.	1 Geo. 4. c. 5., "An Act for enlarging "the Term and Powers of Two Acts "of His late Majesty, for repairing "the Road from Buildwas Bridge to "join the Watling Street Road at "Tern Bridge in the County of "Salop" - - - -	1,108 0 0	1*d.* per Cent.	31 Dec. 1864.
8 Nov.	3 W. 4. c. 6., "An Act for repairing "the Road from Reedy Gate in the "Parish of Dunsford, through Moretonhampstead, to Cherry Brook in "the Forest of Dartmoore in the "County of Devon" - -	2,397 0 0 2,000 0 0	1*d.* per Cent.	31 Dec. 1863 (Arrears extinguished).
6 Dec.	7 & 8 Vict. c. 72., "An Act for repairing, maintaining, and improving "the Road from Flint Lane to Holmfrith, and thence to the Huddersfield and Woodhead Turnpike "Road, and for making and maintaining a new Line of Road from "the said Road at a Place called "Bents, to or near Dunford Bridge, "all in the West Riding of the "County of York," so far as the "same relates to the "Dunford "District" - - -	960 0 0 1,094 2 6	3*l.* per Cent. 1*d.* per Cent.	3 Oct. 1864 (Arrears extinguished).
6 Dec.	2 W. 4. c. 5., "An Act for more effectually repairing and otherwise improving the Road from Ipswich to "Stratford Saint Mary in the County "of Suffolk" - - -	1,500 0 0	3*l.* 10*s.* per Cent.	31 Dec. 1864.
12 Dec.	3 W. 4. c. 44., "An Act for more effectually repairing the Roads from "Hodges to Beadles Hill and Cuckfield, and from Beadles Hill to "Lindfield, all in the County of "Sussex - - - -	3,500 0 0	2*l.* 10*s.* per Cent.	31 Dec. 1864.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Dates from which reduced Rate of Interest to commence.
1864. 20 Dec.	3 Geo. 4. c. 11., "An Act for continuing the Term, and altering, amending, and enlarging the Powers of the several Acts passed for repairing the Road from the Bars at Boughton within the Liberties of the City of Chester to Whitchurch, and from thence to Newport in the County of Salop, and other Roads in the said Acts mentioned, so far as relate to the First District of Roads in the said Acts mentioned; and for diverting a certain Part of the Road comprised within the said District" -	£ s. d. 4,301 0 0 130 0 0	4*l.* per Cent.	31 Dec. 1864.
30 Dec.	3 Wm. 4. c. 99., "An Act for improving the Shrewsbury District and the Wellington District of the Watling Street Road in the County of Salop, so far as relates to the "Shrewsbury District" - - -	3,650 0 0	3*l.* per Cent.	25 Dec. 1864.
1865. 3 Feb.	5 Geo. 4. c. 32., "An Act for more effectually amending the Roads from Whitchurch in the County of Salop to that Part of the Road leading from Nantwich in the County of Chester to Newcastle-under-Lyne in the County of Stafford which passes through the Township of Madeley in the said County of Stafford, and also from Hinstock in the said County of Salop to Nantwich aforesaid" -	1,650 0 0	3*l.* 15*s.* per Cent.	25 Mar. 1865.
5 April	2 & 3 Wm. 4. c. 109., "An Act for maintaining certain Roads in the Neighbourhood of the Towns of Beverley, of Kingston-upon-Hull, and of North Cave, called "The Beverley, Hessle, and North Cave Turnpike Roads" - -	2,275 0 0	2*l.* 10*s.* per Cent.	30 June 1865 (Arrears extinguished).
16 May	2 Wm. 4. c. 4., "An Act for more effectually repairing and improving the Road from Hardingston to Old Stratford in the County of Northampton" - - - -	3,660 0 0	1*l.* per Cent.	13 April 1865 (Arrears extinguished).

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. XCII.

An Act to shorten the Time for the Election of Members to serve in Parliament for the *Ayr* District of Burghs. [5th *July* 1865.]

WHEREAS an Act was passed in the Second and Third Years of the Reign of King *William* the Fourth, intituled *An Act to amend the Representation of the People in* Scotland, whereby it is provided that the Day of Election of Members to serve in Parliament shall be not less than Ten nor more than Sixteen Days after the Day on which the Writ is received by the Sheriff: And whereas by an Act passed in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Seventy-eight, the Time for the Election of Members to serve in Parliament for Cities, Burghs, and Towns, or Districts of Cities, Burghs, and Towns, in *Scotland*, was shortened to not less than Four nor more than Ten Days after the Day on which the Writ is received, except in the Districts comprehending *Kirkwall*, *Wick*, *Dornoch*, *Dingwall*, *Tain*, *Cromarty*, *Ayr*, *Irvine*, *Campbelltown*, *Inverary*, and *Oban*, wherein it was by the Second Section of the said last-recited Act provided that the Provisions of the said first-recited Act, in so far as they relate to the Announcement of the Day of Election, and the Interval to elapse between the Receipt of

2 & 3 W. 4. c. 65.

5 & 6 W. 4. c. 78.

 the

the Writ and the Proclamation thereof, should remain in full Force and Effect: And whereas it is expedient that, with respect to the *Ayr* District of Burghs, such Exception should no longer be continued: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Part of Sect. 2 of 5 & 6 W. 4. repealed.

1. The Second Section of the said last-recited Act shall be and is hereby repealed so far as relates to the *Ayr* District of Burghs, but not further or otherwise.

Sheriff to endorse on Writ for Ayr District of Burghs the Day on which he received it, and to announce Time for the Election.

2. The Sheriff to whom any Writ for the Election of a Member to serve for the District of Burghs comprehending *Ayr*, *Irvine*, *Campbelltown*, *Inverary*, and *Oban* shall be directed under the Provisions of the said first-recited Act shall endorse on the Back of the Writ the Day on which he received it, and shall within Two Days thereafter announce a Day for the Election, which Day shall be not less than Four nor more than Ten Days after the Day on which the Writ was received, and shall give due Intimation thereof as is provided in the said first-recited Act.

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VICTORIÆ REGINÆ.

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CAP. XCIII.

An Act to consolidate the Offices of Comptroller General of the Exchequer and Chairman of the Commissioners for auditing the Public Accounts; and for other Purposes. [5th *July* 1865.]

WHEREAS by an Act passed in the Session of the Fourth and Fifth Years of the Reign of His late Majesty *William* the Fourth, Chapter Fifteen, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, it was enacted that "the Constitution and Establishment "of the Exchequer shall consist of the following Officers; (that is "to say,) a Comptroller General, to be designated Comptroller "General of the Receipt and Issue of His Majesty's Exchequer, "with an annual Salary of Two thousand Pounds, an Assistant "Comptroller, a Chief Clerk, and such Number of Clerks and "Assistants, with such Salaries as shall be established and "regulated from Time to Time by the Commissioners of Her "Majesty's Treasury:" And whereas it is expedient that when a Vacancy shall occur in the said Office of Comptroller General the Duties of the said Office shall be performed by the Chairman of the Commissioners for auditing the Public Accounts, and that he shall

4 & 5 W. 4. c. 15.

be

be appointed Comptroller General accordingly: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointment of Chairman of Commissioners of Public Accounts to Office of Comptroller General on Occurrence of next Vacancy.

1. On the Occurrence of the next Vacancy in the said Office of Comptroller General, the Office of the said Comptroller shall be granted, by Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to the Chairman for the Time being of the Commissioners for auditing the Public Accounts; and it shall be incumbent on him and he is hereby authorized to perform all the Duties of the said Comptroller, in addition to his Duties as such Chairman as aforesaid; and the said Letters Patent shall continue in force during good Behaviour, subject, however, to the Removal of such Comptroller from such Office by Her Majesty, Her Heirs and Successors, on the Address of the Two Houses of Parliament, subject also to the Abolition of the Office, or to its Regulation, either as to the Salary or the Duties thereof, at any future Time by the Authority of Parliament.

The Office of Assistant Comptroller may be granted to such other of the Commissioners for auditing the Public Accounts as the Commissioners of Her Majesty's Treasury shall from Time to Time appoint for executing the same, any Statute to the contrary notwithstanding.

Power to abolish Office of Chief Clerk of the Exchequer.

2. The Commissioners of Her Majesty's Treasury may, if and when they shall think fit, abolish the Office of Chief Clerk of the Exchequer, upon making adequate Provision for the Performance of the statutable Duties thereof.

Annual Salary of Comptroller General and Chairman of Audit Board.

3. The Person appointed in pursuance of this Act to the said Offices of Comptroller General and Chairman of the Commissioners for auditing the Public Accounts shall, in respect of both such Offices, be entitled to an annual Salary of Two thousand Pounds and no more, such Salary to be paid out of the Consolidated Fund.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

BENGAL SECRETARIAT LIBRARY

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Commencement of Act.

2. This Act shall commence from and immediately after the Thirtieth Day of *September* One thousand eight hundred and sixty-five.

Short Title.

3. This Act may be cited as The Carriers Act Amendment Act, 1865.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. XCV.

An Act to amend the Law relating to the Duties on Sugar, and the Drawbacks on those Duties.

[5th *July* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, as follows:

Duties on Cane Juice.

1. That on and after the First of *September* One thousand eight hundred and sixty-five, provided that the Ratifications of a Convention between Her Majesty, the King of the *Belgians*, the Emperor of the *French*, and the King of the *Netherlands*, for regulating the Drawbacks on Sugar, which was signed at *Paris* on the Eighth Day of *November* One thousand eight hundred and sixty-four, shall then have been exchanged,—

In lieu of the Duties of Customs now charged on the under-mentioned Article, the following Duties of Customs shall be charged thereon, on Importation into *Great Britain* or *Ireland*; (that is to say,)

	£	*s.*	*d.*
Cane Juice, the Cwt. - - - -	0	8	2

Drawbacks on refined Sugar.

2. That from and after the Day on which the Ratifications of a Convention between Her Majesty, the King of the *Belgians*, the Emperor

Emperor of the *French*, and the King of the *Netherlands*, for regulating the Drawbacks on Sugar, which was signed at *Paris* on the Eighth Day of *November* One thousand eight hundred and sixty-four, shall be exchanged,—

In lieu of the Drawbacks of Twelve Shillings and Tenpence now allowed on certain Descriptions of refined Sugar, the following Drawbacks shall be paid and allowed on the under-mentioned Descriptions of refined Sugar on the Exportation thereof to Foreign Parts, or on Removal to the *Isle of Man* for Consumption there, or on Deposit in any approved Warehouse, upon such Terms and subject to such Regulations as the Commissioners of Customs may direct, for Delivery from such Warehouse as Ship's Stores only or for the Purpose of sweetening *British* Spirits in Bond; (that is to say,)

Upon Sugar refined in *Great Britain* or *Ireland*, in Loaf complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout; and upon such Sugar pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters; and upon Candy:

	£	s.	d.
For every Cwt. - - - -	0	12	4

Upon Sugar refined in *Great Britain* or *Ireland* by the centrifugal or any other Process, and not in any way inferior to the Export Standard No. 3. approved by the Lords of the Treasury:

	£	s.	d.
For every Cwt. - - - -	0	12	4

Provided, that if refined Sugar, not being in any way inferior to No. 1. Standard Export Sample approved by the Lords of the Treasury, be not thoroughly dried in the Stove, but shall be found to contain Moisture not exceeding Five *per Centum* over and above what the same would contain if thoroughly dried in the Stove, then the above Drawback shall be allowed thereon, subject to a Deduction in respect of such Moisture of Five *per Centum*, in lieu of any other Drawback now allowed thereon.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

****

CAP. XCVI.

An Act to amend the Laws relating to the Inland Revenue. [5th *July* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scale of Stamp Duties on Conveyances, in lieu of Scale in 13 & 14 Vict. c. 97.

1. For and in lieu of the Scale of Stamp Duties chargeable under the Title "Conveyance" in the Schedule of the Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, the following Scale of Stamp Duties shall be chargeable; (that is to say,)

	£	s.	d.
Where the Purchase or Consideration Money expressed in or upon the principal or only Deed, Instrument, or Writing of Conveyance shall not exceed £5 - -	0	0	6
And where the same shall exceed £5 and not exceed £10	0	1	0
" " 10 " 15	0	1	6
" " 15 " 20	0	2	0
" " 20 " 25	0	2	6
" " 25 " 50	0	5	0
" " 50 " 75	0	7	6
" " 75 " 100	0	10	0
" " 100 " 125	0	12	6
" " 125 " 150	0	15	0
" " 150 " 175	0	17	6

And

	£		£	£	s.	d.
And where the same shall exceed	175	and not exceed	200	1	0	0
" "	200	"	225	1	2	6
" "	225	"	250	1	5	0
" "	250	"	275	1	7	6
" "	275	"	300	1	10	0
And where the Purchase or Consideration Money shall exceed £300, then for every £50, and also for any fractional Part of £50 - - - -				0	5	0

Scale of Stamp Duties on Appraisements, in lieu of Scale in 55 G. 3. c. 184.

2. And for and in lieu of the Scale of Stamp Duties chargeable under the Title "Appraisement" in the Schedule to the Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, Chapter One hundred and eighty-four, the following Scale of Stamp Duties shall be chargeable; (that is to say,)

				£	s.	d.
Where the Amount of the Appraisement or Valuation shall not exceed £5 - - - - -				0	0	3
And where it shall exceed £5 and not exceed £10 -				0	0	6
" "	10	"	20 -	0	1	0
" "	20	"	30 -	0	1	6
" "	30	"	40 -	0	2	0
" "	40	"	50 -	0	2	6
" "	50	"	100 -	0	5	0
" "	100	"	200 -	0	10	0
" "	200	"	500 -	0	15	0
" "	500	-	- -	1	0	0

Scale of Stamp Duties on Awards, in lieu of Duties in 23 & 24 Vict. c. 111.

3. And for and in lieu of the Scale of Stamp Duties chargeable under the Title "Award" in the Schedule to the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and eleven, the following Scale of Stamp Duties shall be chargeable; (that is to say,)

				£	s.	d.
For and upon every Award in England or Ireland, and Award or Decreet Arbitral in Scotland, where the Amount or Value of the Matter in dispute shall not exceed £5 - - - - -				0	0	3
And where it shall exceed £5 and not exceed £10 -				0	0	6
" "	10	"	20 -	0	1	0
" "	20	"	30 -	0	1	6
" "	30	"	40 -	0	2	0
" "	40	"	50 -	0	2	6
" "	50	"	100 -	0	5	0
" "	100	"	200 -	0	10	0
" "	200	"	500 -	0	15	0
" "	500	"	750 -	1	0	0
" "	750	"	1,000 -	1	5	0
And where it shall exceed £1,000, and also in all other Cases not above provided for - - - -				1	15	0

4. And

Stamp Duty reduced on certain Licences granted by Ecclesiastical Authority.

4. And in lieu of the Stamp Duty of Two Pounds now chargeable by Law for or upon any Licence to be granted by any Archbishop, Bishop, Chancellor, or other Ordinary, or by any Ecclesiastical Court, in *England* or *Ireland*, or by any Presbytery or other Ecclesiastical Power in *Scotland*, for any of the following Purposes, (that is to say,)

1. To hold the Office of Lecturer, Reader, Chaplain, Church Clerk, Chapel Clerk, Parish Clerk, or Sexton;
2. For licensing a Building for the Performance of Divine Service within an Ecclesiastical District formed under the Provisions of the New Parishes Act;
3. For licensing any Chapel for the Solemnization of Marriages therein pursuant to the Provisions of the Act Sixth and Seventh *William* the Fourth, Chapter Eighty-five;
4. For licensing or authorizing any Matter which regards a consecrated Building or Ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom;

There shall be charged and paid for or upon any such Licence as aforesaid the Stamp Duty of Ten Shillings: Provided always, that nothing herein contained shall extend to charge with Duty any Licence expressly exempted from Stamp Duty by any Act of Parliament now in force.

Agreements for letting small Tenements chargeable with One Penny Stamp Duty.

5. Any Agreement or Memorandum for the letting of a Dwelling House or Tenement, or Part of a Dwelling House or Tenement, for any Period less than a Year, at a Rent payable weekly or monthly, and not exceeding the Rate of Three Shillings and Sixpence *per* Week, shall be chargeable with the Stamp Duty of One Penny only in lieu of any other Stamp Duty now chargeable on any such Agreement or Memorandum.

Duty on Certificates taken out by Conveyancers and Special Pleaders within the first Three Years of their Practice reduced.

6. And whereas by an Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Sixty-three, certain Stamp Duties specified in the Schedule to the same Act annexed are imposed upon a Certificate to be taken out yearly by every Person, being a Member of One of the Four Inns of Court in *England*, and by every Person in *Ireland*, who, in the Character of Conveyancer, Special Pleader, Draftsman in Equity, or otherwise, shall, for or in expectation of any Fee, Gain, or Reward, draw or prepare any Conveyance of or Deed or Instrument relating to any Estate or Property, Real or Personal, or any other Deed or Contract whatever, or any Pleadings or Proceedings in any Court of Law or Equity: Be it enacted, That any such Certificate to be taken out by any such Person as aforesaid within the Period of Three Years after he

he shall first begin to practise in manner aforesaid shall be charged with only One Half of the said Duties respectively.

Stamp Duty on Charterparties reduced.

7. In lieu of the Stamp Duty of Five Shillings now chargeable by Law on any Charterparty, or any Document chargeable with Stamp Duty as a Charterparty, there shall be charged and paid thereon the Stamp Duty of Sixpence, which may be denoted either by an impressed Stamp upon the Charterparty or Document or by an adhesive Stamp affixed thereon; provided, that if an adhesive Stamp be used, the Person who shall last sign the Charterparty or Document, or whose Signature shall complete the same as a binding Contract, shall at the Time of his so signing the same cancel the said Stamp by writing thereon his Name or the Name of his Firm, together with the true Date of his so writing the same; and in default of so cancelling the adhesive Stamp in manner aforesaid, such Charterparty or Document shall not be good, valid, or available for any Purpose whatever: Provided always, that if any Charterparty or other such Document as aforesaid which shall be brought to the Commissioners of Inland Revenue to be stamped within the respective Times herein-after mentioned after the same shall bear Date and shall have been first signed, the Commissioners shall stamp the same with an impressed Stamp on the following Terms; (that is to say,) if within Seven Days, on Payment of the Duty and Four Shillings and Sixpence; and if after that Time, and within One Calendar Month after such Date and first signing, then on Payment of the Duty and the Sum of Ten Pounds; but after the Expiration of the last-mentioned Period it shall not be lawful to stamp such Charterparty or other Document as aforesaid on any Pretence whatever: Provided always, that if any Charterparty, whether printed or written, shall be first signed by any Party thereto out of the United Kingdom, such Charterparty being unstamped, it shall be lawful for any Party thereto within Ten Days after it shall have been received in this Kingdom, and before the same shall have been signed by any Person here, to affix thereto an adhesive Stamp denoting the Duty chargeable thereon, and to cancel such Stamp by writing across the same his Name and the Date when he shall so affix such Stamp, and thereupon such Charterparty shall be deemed to be duly stamped.

If Stamp not cancelled, Charterparties invalid.

Terms on which certain Charterparties may be stamped after being signed.

Reduction of Duty on certain Time Policies of Sea Insurance.

8. And whereas by an Act passed in the Seventh Year of Her Majesty's Reign, Chapter Twenty-one, certain Stamp Duties contained in the Schedule to the same Act were imposed on Policies of Sea Insurance in relation to Ships or Vessels for or upon any Voyage, and also for any certain Term or Period of Time: Be it enacted,

enacted, That there shall be charged and paid, in lieu of the Duties chargeable under the said last-mentioned Act, for and in respect of any such Insurance made for a certain Term or Period of Time upon or in relation to any Ship or Vessel, the following reduced Rates of Duty for every One hundred Pounds and also for any fractional Part of One hundred Pounds whereof the same shall consist; (that is to say,)

	Duty. £	s.	d.
Where any Insurance shall be made upon or in relation to any Ship or Vessel lying or being in any Dock, Harbour, or River for any certain Term or Period of Time not exceeding One Calendar Month - - - -	0	0	6
And where any such Insurance as aforesaid shall be made for any Term or Period of Time exceeding One Month, and not exceeding Three Months, and also where any Insurance shall be made upon or in relation to any Ship or Vessel lying or being elsewhere than as aforesaid for any Term or Period of Time not exceeding Three Months - - - - - -	0	1	0
And where any Insurance shall be made upon or in relation to any Ship or Vessel, wheresoever the same may be, for any Term or Period of Time exceeding Three Months and not exceeding Six Months - - - - - -	0	2	0
Exceeding Six Months - - - - -	0	4	0

And any Sea Insurance made for or upon a Voyage and also for any certain Term or Period of Time, or to extend to or cover any certain Term or Period of Time beyond Twenty-four Hours after the Ship shall have arrived at her Destination and been there moored at Anchor, is hereby declared to be an Insurance for a certain Term or Period of Time as well as an Insurance made upon a Voyage, and the Policy to be chargeable with Duty accordingly.

Insurances on a Voyage and also for Time, how chargeable.

9. And whereas by an Act passed in the last Session of Parliament, Chapter Fifty-six, Section One, the Time for making Application to the Commissioners of Inland Revenue for the Allowance for the Stamp Duty impressed on a Policy of Re-assurance is limited to a Period of Three Calendar Months next after the Termination of the Risk: Be it enacted, That so much of the said Section as limits the Time for making such Application as aforesaid shall be and the same is hereby repealed.

Limitation of Time for making Application for Allowance of Stamp Duty on Policies of Re-assurance repealed.

55 G. 3. c. 184. "Policies."

10. And whereas by the said Act passed in the Fifty-fifth Year of the Reign of King *George* the Third certain Stamp Duties contained in the Schedule to the same Act were imposed, under the Head or Title of "Policy," on various Descriptions of Insurance commonly known by the several Names of Life Insurance, Fire Insurance, and Sea Insurance respectively, specifically described and charged with Duty as in the said Schedule is mentioned; and lastly certain Duties were imposed upon any Policy of Assurance whereby any other lawful Insurance whatsoever than as aforesaid should be made upon any Property or Interest whatever from Loss or Damage of any Kind: And whereas by the said Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and eleven, certain other Stamp Duties, described under the Head or Title of "Policy" in the Schedule to the last-mentioned Act, were also granted and imposed: Be it enacted, That in lieu of the Duties so granted and imposed by the said Two last-recited Acts respectively as last aforesaid, so far as they relate to any Insurance on which Duties are imposed by this Act, there shall be charged and paid for and upon any Policy of Assurance whereby any lawful Insurance not chargeable with Stamp Duty as Life Insurance, Fire Insurance, or Sea Insurance shall be made upon any Property or Interest whatever from Loss or Damage of any Kind, or whereby any Sum of Money shall be assured or agreed to be paid only upon the Death of any Person from Accident or Violence, or otherwise than from a natural Cause, or as Compensation for a personal Injury, or whereby any Sum of Money shall be assured or agreed to be paid as or for Loss or Damage or Compensation for or Indemnity against Loss or Damage arising from or consequent upon the happening of any Accident, the following Duties; (that is to say,)

23 & 24 Vict. c. 111.

Stamp Duties granted on certain Policies of Assurance in lieu of former Duties thereon.

	£	s.	d.
If the Premium or Consideration for such Assurance shall not exceed 2*s.* 6*d.* - -	0	0	1
And if the same shall exceed 2*s.* 6*d.* and shall not exceed 5*s.* - - - -	0	0	3
And if the same shall exceed 5*s.*, then for every 5*s.* and also for any fractional Part of 5*s.* of such Premium or Consideration - -	0	0	3

And where any such Assurance as aforesaid shall be made on such Terms or Conditions that the Rates of Duty aforesaid cannot be applied to the same or the Policy charged therewith, then, in lieu of the foregoing Rates of Duty, there shall be charged and paid upon such Policy in respect of the Amount of the Sum insured the same Rate of Stamp Duty as is now chargeable by Law on a Policy of Life Assurance.

11. Pro-

11. Provided always, That no Policy of Assurance for Payment of any Sum of Money upon the Death of any Person only from Accident or Violence, or otherwise than from a natural Cause, shall be deemed to be a Policy of Life Assurance chargeable otherwise than under this Act; and provided also, that nothing herein contained shall extend to repeal or alter the Duty chargeable under an Act passed in the Twelfth and Thirteenth Years of Her Majesty's Reign, intituled *An Act to confer certain Powers on the Railway Passengers Assurance Company* on the Sums received by the said Company in respect of the Insurance Tickets issued by them, or to impose any other Duty upon or in respect of such Tickets.

Accidental Death Policy not to be chargeable as Life Assurance.

Not to repeal or alter the Duties payable by the Railway Passengers Assurance Company.

12. Section Eight of the said Act of the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, and Section Twenty-nine of an Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Ninety-one, shall be and the same are hereby repealed, save and except as to any Arrear of Duty or any Penalty incurred before the passing of this Act.

Section 8 of 23 & 24 Vict. c. 111. and Section 29 of 24 & 25 Vict. c. 91. repealed.

13. And for preventing Frauds in respect of the Stamp Duties by this Act imposed on Policies of Insurance, the Provisions and Penalties contained in Section Six of the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Fifty-nine, shall be observed, applied, and put in force in relation to Policies of Insurance of any Description (other than Sea Insurance) whereon Duties are imposed by this Act; and further, if any Person shall make, sign, or deliver out any Policy not duly stamped for denoting the Duty by this Act charged thereon he shall forfeit the Sum of Twenty Pounds; and where any Insurance shall be made by or for any Society or Company, the Person who shall be a Managing Director or the Secretary or other Principal Officer thereof at the Time of committing any Offence or unlawful Act, Neglect, or Default for which any Penalty is by this or any other Act imposed shall be held to be a Person committing such Offence, or doing or suffering such unlawful Act, Neglect, or Default, and shall, as well as the said Society or Company, be subject and liable to any and every such Penalty as aforesaid.

Provisions for preventing Frauds in relation to the Stamp Duties imposed by this Act on Policies of Insurance.

14. The Term "Assurance" used in this Act shall mean and include Insurance, and the Term "Policy" shall mean and include any Agreement or other Instrument, by whatever Name the same shall be called, whereby any such Assurance as aforesaid shall be made or agreed to be made.

Meaning of the Terms "Assurance" and "Policy."

15. The

Policies and Instruments of Insurance made abroad on behalf of Insurers in the United Kingdom, whenchargeable with Stamp Duty.

15. The Stamp Duties chargeable under this or any other Act for the Time being in force upon or in respect of any Policy of Insurance of any Description shall extend to and be deemed to be payable upon and in respect of any Policy or other Instrument of Insurance which shall be made or signed out of the United Kingdom by or on behalf of any Person carrying on the Business of Insurance within the United Kingdom, or by which, according to any Stipulation, Agreement, or Understanding, expressed or implied, any Loss or Damage or any Sum of Money shall be payable or recoverable in the United Kingdom upon the happening of any Contingency whatever; and no such Policy or other Instrument of Insurance shall be valid or available in the United Kingdom for any Purpose whatever, unless the same shall be duly stamped for denoting the Duties chargeable thereon as aforesaid: Provided always, that if such Policy or Instrument shall be brought to the Commissioners of Inland Revenue for the Purpose of being stamped as aforesaid within Two Calendar Months next after the same shall have been received in the United Kingdom, and upon Proof of that Fact to the Satisfaction of the said Commissioners, they shall cause such Policy or Instrument to be duly stamped on Payment of the Duties chargeable thereon; but after the Expiration of the said Period it shall not be lawful for the Commissioners to permit the said Policy or Instrument to be stamped on any Pretence whatever.

Policies executed abroad to be brought to be stamped within Two Months after being received in the United Kingdom.

Receipts given for Sums deposited on Allotments of Shares, or for Calls on Scrip or Shares, not to be exempted from Stamp Duty.

16. And whereas by the Laws in force Receipts given for Money deposited in any Bank, or in the Hands of any Banker, to be accounted for, are exempted from Stamp Duty, except Receipts or Acknowledgments for Sums paid or deposited for or upon Letters of Allotment of Shares, or in respect of Calls upon Scrip or Shares, of or in any Joint Stock or other Company, or proposed or intended Company: Be it enacted, That such Exception shall be deemed to apply wheresoever any such Company may be, and shall also extend to Receipts and Acknowledgments for Sums paid or deposited for or in respect of Allotments of Shares, and Calls upon Scrip or Shares, of or in any Loan or proposed or intended Loan raised or proposed to be raised by or on behalf of any Foreign or Colonial Government, State, Corporation, or Company; all which said Receipts and Acknowledgments, so excepted as aforesaid, by whomsoever given, shall be chargeable with the Duty imposed on Receipts.

Stamp Duties on Transfers of Mortgages.

17. And whereas by the said Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, certain Stamp Duties specified in the Schedule to the same Act were granted and imposed upon any Transfer or Assignment, Disposition

Disposition or Assignation, of any Mortgage or Wadset, or of any such other Security as in the said Schedule is described, or of the Benefit thereof, or of the Money or Stock thereby secured: Be it enacted, That in lieu of the said last-mentioned Duties there shall be charged and paid for and upon every such Transfer or Assignment, Disposition or Assignation, as aforesaid, the following Stamp Duties; (that is to say,)

For every 100*l.* or any fractional Part of 100*l.* of the Amount or Value of the Principal Money or Stock already secured by such Mortgage, Wadset, or other such Security as aforesaid, thereby transferred or assigned or disponed, the Duty of Sixpence:

And if any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured as aforesaid there shall be charged and paid also the same Duty as on a Mortgage or Wadset for the Amount or Value of such further Money or Stock.

Hawkers Licences may be renewed before Expiration, and new Licence to stand in place of Licence surrendered.

18. Any Hawker, Pedlar, or Petty Chapman may apply for a renewed Licence under the Provisions of the Statute in that Behalf at any Time before the Expiration of his current Licence; and on Production and Surrender of his current Licence, and Payment of the Duty chargeable on a new Licence, it shall be lawful for the Officer to grant to him a renewed Licence, and such Officer shall insert therein the Days of the Commencement and Termination of the Period for which the same shall be granted, and the Day of granting the same, and shall endorse thereon a Memorandum of the Date and Place of Surrender of the current Licence; and such renewed Licence, so endorsed, shall stand in the Place of and be of the same Force and Effect as the surrendered Licence during the unexpired Term thereof, as well as for the whole of the Term for which the renewed Licence shall have been granted.

First Appointments of certain Officers of Customs not chargeable with Stamp Duty.

19. No Stamp Duty shall be chargeable upon the first Grant or Appointment of any Person to the Office or Employment of Outdoor Officer, Boatman, Waterman, or Watchman in the Service of the Customs, or upon any Commission or Deputation granted to him in pursuance of such Appointment.

No Declaration in order to a Marriage without Licence.

20. No Declaration required to be made pursuant to any Act relating to Marriages in order to a Marriage without Licence shall be chargeable with any Stamp Duty.

Stamp Duties on Certificates of Marriage and of

21. And whereas under the Title "Certificate" in the Schedule to the Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, Chapter One hundred and eighty-four, a Stamp

having received the Holy Sacrament repealed.

Duty of Five Shillings is imposed on a Certificate of Marriage, and the like Duty on a Certificate of any Person's having received the Holy Sacrament: Be it enacted, That the said respective Stamp Duties last mentioned shall be and the same are hereby repealed.

Appeals against Adjudications on Stamp Duties may be heard in Scotland and Ireland.

22. And whereas by the Statutes in that Behalf Her Majesty's Court of Exchequer at *Westminster* is required to hear Appeals against Adjudications of the Commissioners of Inland Revenue relating to the Stamp Duty on Deeds as in the said Statutes is mentioned: Be it enacted, That in Cases where Deeds shall be presented for the Opinion of the said Commissioners at their Offices in *Edinburgh* and *Dublin* respectively, Appeals against their Adjudications may be heard and determined by Her Majesty's Court of Exchequer in *Scotland* and *Ireland* respectively, in the same Manner and subject in all respects to the like Provisions as in the said Statutes are respectively enacted with regard to Appeals to Her Majesty's Court of Exchequer at *Westminster*.

British Spirits in Warehouse may be transferred on Production of Delivery Order.

23. Any *British* Spirits deposited in a general Warehouse, in the Name of a Distiller or Dealer in Spirits, may be transferred in the Book kept by the Officer of Excise in charge of such Warehouse into the Name of a Purchaser, upon his producing to the Officer an Order in Writing from such Distiller or Dealer, countersigned by the Proprietor of the Warehouse or his known Servant, for the Delivery of the Spirits to such Purchaser; and all Spirits so transferred shall be discharged from all Claim in respect of any Duties, Penalties, or Forfeitures to which the Distiller or Dealer from whom such Transfer has been made may be liable, but no Spirits shall be delivered out of Warehouse for Home Consumption until Payment shall be made of the full Duties of Excise chargeable thereon.

Sect. 122 of 23 & 24 Vict. c. 114. repealed.

24. Section One hundred and twenty-two of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and fourteen, is hereby repealed.

Amending the Law respecting Appeals under Excise Acts on Complaints before Commissioners and Justices.

25. In the Case of any Complaint brought before the Commissioners of Inland Revenue or Justices of the Peace respectively by virtue of the Provisions contained in the Twenty-seventh Section of the Act passed in the Fourth and Fifth Years of the Reign of King *William* the Fourth, Chapter Fifty-one, in respect of any Matter or Thing which may be the Subject of Complaint under the said Section, if the Complainant, or the Solicitor, Collector, or Supervisor to whom Notice of such Complaint

Complaint is by Law required to be given in such Case, shall feel aggrieved by the Judgment and Determination of the said Commissioners or Justices respectively, it shall be lawful for either Party aggrieved thereby to appeal from such Judgment and Determination in like Manner, and upon giving such Notices, and upon such Terms, Conditions, and Regulations (so far as the same shall be applicable), as are prescribed in Cases of Appeals by the several Acts passed respectively in the Seventh and Eighth Years of King *George* the Fourth, Chapter Fifty-three, the Fourth and Fifth Years of King *William* the Fourth, Chapter Fifty-one, and the Fourth Year of Her present Majesty, Chapter Twenty; provided that no such Appeal shall be allowed when the Sum in dispute shall not exceed Fifty Pounds.

Persons convicted of the illegal Manufacture of Goods liable to Excise Duty may be afterwards sued for collateral Penalties under Sect. 33 of 7 & 8 G. 4. c. 53.

26. And whereas by an Act passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, Chapter Fifty-three, Section Thirty-three, any Person discovered as therein mentioned aiding or assisting or concerned in the private manufacturing of Goods or Commodities subject to any Duty of Excise is liable to the Penalty of Thirty Pounds, over and above other Penalties mentioned or referred to in the same Section of the said Act: And whereas Doubts are entertained whether a Person who has been convicted in the said Penalty of Thirty Pounds can afterwards be lawfully prosecuted for and convicted in any such other Penalties as aforesaid: Be it declared and enacted, That it shall be lawful to proceed against any Person for the Recovery of all or any of such last-mentioned Penalties, notwithstanding he may have been previously convicted in the said Penalty of Thirty Pounds.

Liquids containing purified Methylic Alcohol to be deemed Low Wines for distilling Purposes, and Persons distilling the same to be deemed Distillers.

27. And whereas it is discovered that potable Spirits may be obtained from Methylic Alcohol by distilling the same after certain Processes of Purification, by which it is freed from the unpalatable Flavours which pertain to it in its crude State, and it is expedient to subject such Spirits to the Duty of Excise chargeable on Spirits: Be it enacted, That any Liquid containing or having mixed therewith Methylic Alcohol which shall have been purified or prepared for Distillation by means of Filtration, or any other Process which may free it or be intended to free it wholly or partially from any Flavour or Odour which might otherwise pertain to it, shall be deemed to be Low Wines for the Purpose of Distillation within the Meaning of the Laws of Excise relating to the distilling of Spirits; and every Person making, preparing, or having in his Possession any such Low Wines, and having also a Still, shall be deemed to be a Distiller liable to the several Duties, Penalties, and Forfeitures imposed by Law on Distillers of Spirits.

28. Methylic

Preparation of Methylic Alcohol for distilling Spirits to be carried on only in a licensed Distillery.

28. Methylic Alcohol which shall have undergone any such Process of Filtration or Purification as aforesaid shall be deemed to have been so prepared for the Purpose of distilling Spirits therefrom, and no Person other than a Person duly licensed as a Distiller of Spirits shall so prepare or purify any Methylic Alcohol, nor shall any such Process as aforesaid be commenced or carried on elsewhere than on Premises duly licensed as a Distillery, and of which, together with the Stills, Vessels, and Utensils to be used therein, due Entry shall have been made with the Officers of Excise, under Pain of such Penalties and Forfeitures and Liability to Seizure for any Breach of this Enactment as would or might be incurred by any Act done in contravention of the Third Section of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and fourteen.

Rules and Regulations under which the distilling of Spirits from such Low Wines is to be carried on. Spirits to be chargeable with Excise Duty.

29. The distilling of Spirits from any such Low Wines as aforesaid shall be carried on under and subject to the like Rules, Regulations, and Conditions as are prescribed by the Laws in force in relation to the distilling of Spirits, and the Spirits produced by such Distillation shall be deemed to be *British* Spirits chargeable with the Duties of Excise, and shall be subject to all the Laws, Provisions, and Regulations relating to *British* Spirits: Provided always, that where it shall be made to appear to the Commissioners of Inland Revenue that any of such Rules, Regulations, or Conditions are inapplicable to the making, preparing, or distilling of such Low Wines as aforesaid, or impose too great a Restriction on such Distillation, it shall be lawful for the said Commissioners to relax or dispense with any of such Rules, Regulations, or Conditions, and to frame others in lieu thereof for the Purpose of regulating and facilitating the Business of the said Distillation, and otherwise in relation thereto, as they shall see fit in that Behalf.

Stamp Duty of 6*d.* only on certain Contracts under Highway Acts.

30. No Contract to be made or entered into pursuant to the Highway Acts for or relating to the making, maintaining, or repairing of Highways shall be chargeable with any higher Stamp Duty than Sixpence.

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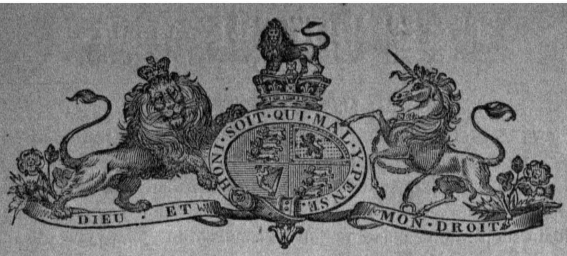

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

BENGAL SECRETARIAT LIBRARY.

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present Parliament assembled, and by the Authority of the same, as follows:

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

1. Every Person who, at or before the passing of this Act, hath omitted to take or make and subscribe any Oath, Assurance, or Declaration, or otherwise to qualify himself within such Time and in such Manner as in and by the said Acts, or any of them, is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act, hath taken and subscribed the Oaths or Oath and Assurance, or made the Declarations or Declaration required by Law, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and sixty-six, or if Parliament be then sitting, before the End of the then Session of Parliament, shall take and subscribe the Oaths or Oath, and Assurance, Declarations or Declaration respectively, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Assurance, and Declarations ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission previous to the passing of this Act of taking or making and subscribing any Oaths or Oath, Assurance or Declaration, required by the said Acts or any of them, or any other Act or Acts; and every such Person is and shall be fully and actually recapacitated and restored to the same State and Condition as he was in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified himself, according to the above-mentioned Acts and every of them; and all Elections of and Acts done or to be done by any such Person, or by Authority derived from him, are and shall be of the same Force and Validity as the same or any of them would have been if such Person had duly taken or made and subscribed such Oath, Assurance, and Declaration, according to the Directions of the said Acts and every or any of them; and the Qualification of such Person qualifying himself in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person had taken or made and subscribed such Oath or Oaths, Assurance and Declaration, within the Time and in the Manner appointed by the several Acts before mentioned.

Indemnity to those who have omitted to make and subscribe the Oaths and Declaration required by the Irish Act, 2 Anne, c. 6.

2. And whereas several Persons well affected to Her Majesty's Government, and to the United Church of *England* and *Ireland*, have, through Ignorance of the Law, neglected, or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Oaths and Declaration according to the Directions of an Act passed in the Parliament of *Ireland* in the Second Year of Queen *Anne*, intituled *An Act to prevent the further Growth of Popery*: All Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned, by neglecting to qualify themselves according

Indemnity.

according to the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures incurred by reason of such Omission or Neglect as aforesaid; and no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oaths, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned, anything in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form and in such Place or Places respectively as are directed and appointed by the said last-recited Act, on or before the Twenty-fifth Day of *March* One thousand eight hundred and sixty-six, or if Parliament be then sitting, before the End of the then Session of Parliament.

Not to indemnify Persons against whom final Judgment has been given.

3. Provided always, That this Act, or anything herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Admissions to Corporations may be stamped after the Time allowed.

4. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns, in *Great Britain* and *Ireland*, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns which by several Acts are directed and required to be stamped, may not have been provided, or the same not stamped, or may have been lost or mislaid:

For the Relief of such Persons whose Appointments and Admissions or the Entries of whose Admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in *Great Britain* or *Ireland*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and sixty-six, or if Parliament be then sitting, before the End of the then Session of Parliament, to provide or cause to be provided Appointments and Admissions or Entries of Admissions, as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid to the Commissioners of Inland Revenue, to be duly stamped, which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture

feiture thereon; and in order to denote the said Duties the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other Public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes, and shall and may hold and enjoy and execute such Office, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

Not to restore Persons to any Office avoided by Judgment.

5. Provided always, That this Act or anything herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of Her Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person, but such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been passed.

General Issue.

6. In case any Action, Suit, Bill of Indictment, or Information shall after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

CAP. XCVIII.

An Act to allow *British* Compounded Spirits to be warehoused upon Drawback. [5th *July* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Compounded Spirits may be deposited in Customs or Excise Warehouses.

1. A licensed Rectifier or Compounder of Spirits may, under such Regulations as the Commissioners of Customs and Inland Revenue respectively may from Time to Time make, warehouse for Exportation, or for Ships Stores, or for Home Consumption, in any Customs or Excise Warehouse approved for that Purpose by the Commissioners of Customs or Commissioners of Inland Revenue, *British* Compounds as defined by Section One hundred and forty-eight of the Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and fourteen, and compounded by him from Spirits on which the Duties of Excise have been charged and paid, and the Strength of such Spirits as denoted by *Sykes*'s Hydrometer shall be deemed to be the true Strength thereof at the Time of warehousing the same,

same, and such Spirits, when so warehoused, may, upon Security being given by Bond to the Satisfaction of the Commissioners of Customs and Inland Revenue respectively, and under such Regulations as the said Commissioners respectively may from Time to Time make in that Behalf, be removed to and deposited in any other Warehouse of Customs or Excise approved as aforesaid: Provided always, that all compounded Spirits exported on Drawback under this Act shall on their Re-importation into the United Kingdom be deemed to be Foreign Spirits and chargeable with Duties of Importation accordingly.

Spirits of Wine may be deposited in Customs Warehouse for Exportation or Ships Stores.

2. A Rectifier of Spirits may, under such Regulations as the Commissioners of Customs and Inland Revenue respectively may from Time to Time make, warehouse for Exportation or for Ships Stores in any Customs Warehouse approved for that Purpose by the Commissioners of Customs at a Warehousing Port, Spirits of Wine which shall have been rectified by him from Spirits on which the Duties of Excise have been charged and paid, and such Spirits of Wine may, under such Regulations as the Commissioners of Customs shall appoint, be removed to any other approved Customs Warehouse at any other Warehousing Port for either of the Purposes aforesaid.

Strength of compounded Spirits to be deposited in Warehouse, and Regulations as to Casks, Certificates, &c.

3. Compounded Spirits to be warehoused as aforesaid shall be of a Strength not more than Eleven *per Centum* over Proof, and Spirits of Wine shall be of a Strength not less than Forty-three *per Centum* over Proof, as denoted by *Sykes*'s Hydrometer, and shall be contained respectively in Casks of not less than Nine Gallons Content, every Cask to be marked on each End thereof in Letters and Figures, legibly cut, branded, or painted with Oil Colour thereon, with the Name of the Rectifier or Compounder, or the Name of the Firm, or with the Mark of such Rectifier, Compounder, or Firm, the progressive Number of such Cask according to the Number of Casks warehoused, and the Year when the same was warehoused, and the full Content thereof in Gallons, and in Quarters of a Gallon when the Content thereof shall be less than Eighty Gallons, and with the true Number of Gallons, and the Denomination and Strength of the Spirits contained therein, and every such Cask being full, or on Ullage of One Gallon or Two Gallons, and not otherwise, at the Time of sending the same from the Premises of such Rectifier or Compounder to the Warehouse; and all such Spirits when removed from the said Premises for the Purpose of being warehoused shall be accompanied with a lawful Certificate, otherwise the same shall be forfeited, and the Rectifier or Compounder

pounder removing the same shall forfeit the Sum of Two hundred Pounds, over and above all other Penalties.

Entry to be made of Spirits deposited in Warehouse, and Officer to give Receipt for the same, and transmit Certificate to Collector of Excise, who is to pay Drawback of Duty on the Spirits.

4. Before any Spirits shall be received into any Customs or Excise Warehouse, under the Provisions of this Act, the Rectifier or Compounder intending to deposit the same shall deliver to the proper Officer of Customs or Excise at such Warehouse a Warehousing Entry or a Note in Writing, specifying the Particulars of the Spirits as set forth in the Certificate accompanying the same, and the Name of the Rectifier or Compounder, and of the Place where the rectifying or compounding Premises are situated from which the Spirits were sent; and after the Spirits have been duly examined and warehoused by such Officer, he shall deliver to the Rectifier or Compounder a Receipt, specifying the Marks, Number, and Content in Gallons of the several Casks received into such Warehouse, the Strength (as denoted by *Sykes*'s Hydrometer) of the Spirits contained in the said Casks respectively, the Description of the Spirits, and the total Number of Gallons at Proof received with such Certificate; and such Officer shall forthwith despatch to the Collector of Excise of the Collection in which the rectifying or compounding Premises are situated a Certificate, setting forth the Name of the Rectifier or Compounder, and the Place where the rectifying or compounding Premises are situated, together with the other Particulars required to be inserted in such Receipt as aforesaid; and the Collector to whom such Certificate is sent shall, on receiving Three Days Notice in Writing of the Time when Payment is required, and upon Production to him of the Receipt before mentioned, pay to the Rectifier or Compounder named in the Certificate, or to any Person authorized on his Behalf, a Drawback of the Duties of Excise on such Spirits at the Rate of Duty charged and paid thereon, computed at the Strength indicated by *Sykes*'s Hydrometer.

Spirits warehoused under this Act may be delivered for Home Consumption in the same Manner as plain British Spirits.

5. Compounded Spirits warehoused by a Rectifier or Compounder under the Provisions of this Act may be delivered for Home Consumption under the same Rules and Regulations and upon Payment of the same Duties of Excise as are now by Law applicable to and payable upon plain *British* Spirits on Delivery from Customs or Excise Warehouses for Home Consumption, computed at the Strength indicated by *Sykes*'s Hydrometer; and the Duties upon compounded Spirits delivered from any Warehouse of Customs shall be collected by the Officers of Customs, and accounted for and paid over in the same Manner as is now by Law directed in the Case of Duties on any other *British* Spirits delivered out of Customs Warehouses for Home Consumption.

6. The

Compound Spirits Warehousing.

Rates payable on Delivery of Spirits from Warehouse for Home Consumption.

6. The Rates and Charges directed by the First Section of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and ten, to be paid for every One hundred Pounds of Customs Duty payable on Goods (not being Tobacco) delivered for Home Consumption from any Warehouse in which the same have been deposited for the Security of the Duties of Customs, shall be charged and paid for and in respect of every One hundred Pounds of the Excise Duty which shall be payable upon the Delivery for Home Consumption of Spirits warehoused in any Customs or Excise Warehouse under the Provisions of this Act; provided that in the Case of a Delivery from an Excise Warehouse the same Rates and Charges shall be payable as would be payable if the Delivery had been from a Customs Warehouse situated at the same Place; and such Rates and Sums of Money shall be deemed to be Duties of Customs or Excise, according as the same shall become payable on Spirits delivered from a Customs or Excise Warehouse respectively.

Rectifier may add sweetening or colouring Matter to Spirits in Customs Warehouse for Exportation.

7. A Rectifier or Compounder warehousing Spirits in a Customs Warehouse as aforesaid may, on giving One Day's Notice to the Officer in charge of such Warehouse, add to such Spirits any sweetening or colouring Matter, or any other Ingredient that he may think proper, subject nevertheless to such Regulations and Restrictions as the Commissioners of Customs may make from Time to Time: Provided always, that such Spirits, after any Matter or Ingredient has been added as aforesaid, shall not be removed to any other Warehouse, or be delivered out otherwise than for Exportation or Ships Stores, directly from the Warehouse, on board the Vessel in which the same are to be exported or used as Stores.

Spirits of Wine not to be delivered for Home Consumption, nor any Spirits unless upon Repayment of Allowances.

8. No Spirits of Wine upon which a Drawback of the Duties of Excise has been paid upon the Deposit of the same in a Customs Warehouse shall be delivered for Home Consumption; and no rectified or compounded Spirits which at the Time of the Commencement of this Act shall be in any Customs Warehouse shall be delivered for Home Consumption, unless the Rectifier or Compounder or Proprietor of such last-mentioned Spirits shall, in addition to the Duties payable upon compounded Spirits taken out of Warehouse for Home Consumption under the Provisions of this Act, repay to the Commissioners of Customs or Inland Revenue respectively the Allowance of Threepence *per* Gallon paid on the Deposit of such Spirits under the Statute in that Behalf.

Spirits deposited in Customs Ware-

9. Any Spirits which shall have been deposited in a Customs Warehouse under the Provisions of this Act may be used in such Warehouse

Warehouse for fortifying Wines, or for any other Purpose to which Foreign or Colonial Spirits may be applied under the Laws or Regulations of the Customs.

house under this Act may be used for fortifying Wines, &c.

10. Compounded Spirits deposited in an Excise Warehouse under the Provisions of this Act may be vatted or racked under and subject to the same Conditions, Regulations, and Penalties as are contained in or authorized by Sections One hundred and nineteen and One hundred and twenty of the before-mentioned Act of the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and fourteen, and in Sections Five and Six of the Act passed in the Twenty-seventh Year of the same Reign, Chapter Twelve, in relation to the Spirits mentioned in such Sections respectively; and any compounded Spirits deposited as aforesaid may be bottled, packed, and removed for Exportation, or for Use as Ship's Stores, under and subject to the same Conditions and Regulations as are contained in or authorized by the said last-mentioned Act.

Compounded Spirits may be vatted or bottled in Warehouse.

11. The Provisions, Penalties, and Forfeitures contained in and imposed by any Act in force at the Time of the Commencement of this Act, relating to the Removal, Warehousing, Custody, and Transfer in any Excise Warehouse of *British* Spirits, and to the Proprietor or Tenant of any such Warehouse for the Deposit of *British* Spirits, and to the Proprietor of any *British* Spirits deposited therein, (except so far as the same shall be repealed or altered by or be repugnant to the Provisions of this Act,) shall extend and be applied to the Removal, Warehousing, Custody, and Transfer in any Excise Warehouse of compounded Spirits and Spirits of Wine, and to the Proprietor or Tenant of any such Warehouse in which the same respectively shall be deposited, and to the Rectifier or Compounder warehousing such Spirits, who shall be deemed to be the Proprietor thereof; and any Bond entered into by the Proprietor or Tenant of any such Warehouse as aforesaid for the Deposit of *British* Spirits, and in force at the Time of the Commencement of this Act, shall extend to and shall be available for any Breach of the Condition thereof committed in relation to any compounded Spirits deposited in the Warehouse in respect of which such Bond shall have been given.

Provisions of Acts relating to warehousing of British Spirits to apply to compounded Spirits warehoused under this Act.

12. The Allowance of Threepence *per* Gallon granted by Section Four of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and twenty-nine, to any licensed Rectifier, in respect of rectified Spirits of the Nature of *British* Compounds not exceeding Eleven Degrees over

Allowance of 3d. per Gallon on British Compounds not to be paid until Export-

ation or Use in Customs Warehouse.

Proof as ascertained by *Sykes's* Hydrometer, shall be payable to any licensed Rectifier or Compounder in respect of any compounded Spirits deposited under the Provisions of this Act in any Warehouse of Customs or Excise, and exported to Foreign Parts, or used in a Customs Warehouse for fortifying Wines or for any other Purpose to which Foreign or Colonial Spirits may be applied under the Laws or Regulations of the Customs; but such Allowance shall not be paid until a Certificate from the proper Officer of Customs shall be produced to the Officer of Excise appointed to pay the said Allowance, that such Spirits have been actually exported or used as aforesaid.

Warehouses to be for public Accommodation and of approved Dimensions.

13. After the passing of this Act, no Warehouse for the Deposit of plain or compounded *British* Spirits shall be approved by the Commissioners of Customs or Inland Revenue, except for the general Accommodation of any Traders or others having Occasion to deposit Spirits therein, nor unless the said Commissioners of Customs or Inland Revenue shall be of opinion that the Dimensions of such Warehouse shall be sufficient for the Wants of the Town where it is situated.

Sections 141. to 145. inclusive of 23 & 24 Vict. c. 114. repealed.

14. Sections One hundred and forty-one, One hundred and forty-two, One hundred and forty-three, One hundred and forty-four, and One hundred and forty-five of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and fourteen, shall be and the same are hereby repealed, except as to anything done or which ought to be done, or as to any Offence committed or any Penalty or Forfeiture incurred, before the Commencement of this Act.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

****

C A P. XCIX.

An Act to confer on the County Courts a limited Jurisdiction in Equity. [5th *July* 1865.]

WHEREAS it is desirable to confer on the County Courts Jurisdiction in Equity: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Jurisdiction in Equity to be exercised in County Courts in certain Suits and Matters.

1. The County Courts held by virtue of an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her Majesty, Chapter Ninety-five, shall have and exercise all the Power and Authority of the High Court of Chancery in the Suits or Matters herein-after mentioned; that is to say,

1. In all Suits by Creditors, Legatees (whether specific, pecuniary, or residuary), Devisees (whether in trust or otherwise), Heirs at Law, or Next of Kin, in which the Personal or Real or Personal and Real Estate against or for an Account or Administration of which the Demand may be made shall not exceed in Amount or Value the Sum of Five hundred Pounds:

 2. In

2. In all Suits for the Execution of Trusts in which the Trust Estate or Fund shall not exceed in Amount or Value the Sum of Five hundred Pounds:

3. In all Suits for Foreclosure or Redemption, or for enforcing any Charge or Lien, where the Mortgage, Charge, or Lien shall not exceed in Amount the Sum of Five hundred Pounds:

4. In all Suits for specific Performance, or for the delivering up or cancelling any Agreement for the Sale or Purchase of any Property, where the Purchase Money shall not exceed the Sum of Five hundred Pounds:

5. In all Proceedings under the Trustees Relief Acts, or under the Trustee Acts, or under any of such Acts, in which the Trust Estate or Fund to which the Proceeding relates shall not exceed in Amount or Value the Sum of Five hundred Pounds:

6. In all Proceedings relating to the Maintenance or Advancement of Infants in which the Property of the Infant shall not exceed in Amount or Value the Sum of Five hundred Pounds:

7. In all Suits for the Dissolution or Winding-up of any Partnership in which the whole Property, Stock, and Credits of such Partnership shall not exceed in Amount or Value the Sum of Five hundred Pounds:

8. In all Proceedings for Orders in the Nature of Injunctions, where the same are requisite for granting Relief in any Matter in which Jurisdiction is given by this Act to the County Court, or for Stay of Proceedings at Law to recover any Debt provable under a Decree for the Administration of an Estate made by the Court to which the Application for the Order to stay Proceedings is made.

In Matters under this Act, Judge and Officers of the County Courts to have the Powers and Authorities of a Judge and Officers of the Court of Chancery.

2. In all such Suits or Matters the Judge of a County Court shall, in addition to the Powers and Authorities now possessed by him, have all the Powers and Authorities, for the Purposes of this Act, of a Judge of the High Court of Chancery; and the Treasurer, Registrar, and High Bailiff shall, in all Matters in which the County Court has Jurisdiction under this Act, discharge any Duties which an Officer of the Court of Chancery can discharge, either under the Order of a Judge of such Court or the Practice thereof, and all Officers of the County Courts shall in discharging such Duties conform to any Rules or Orders to be framed as herein-after provided.

3. Any

3. Any One of the Vice-Chancellors, on the Application at Chambers of any Party to any Suit or Matter pending under this Act, shall have Power, then and there, or, if he shall think fit, after hearing a Summons served upon the other Party or Parties, to transfer the same to the Court of Chancery, upon such Terms, if any, as to Security for Costs or otherwise, as he may think fit.

Power to a Vice-Chancellor to order Transfer of Suits from County Court to Court of Chancery.

4. The Judge and Officers of the Court held under the Provisions of "The *London* (City) Small Debts Extension Act, 1852," herein-after called the "City Court," shall respectively have and exercise the like Jurisdiction, Powers, and Authorities in all respects, except the Power of appointing Officers, as are for the Time being possessed and exercised by the Judge and Officers respectively of a Metropolitan County Court; and the Chief Clerk and the Chief Bailiff of the City Court shall henceforth be respectively styled the Registrar and High Bailiff thereof, the Word "Registrar" being interpreted to include the Assistant Clerks, and the Words "High Bailiff" the Bailiffs of the City Court; and the Fees which may be from Time to Time taken in a County Court in any Proceeding in which Jurisdiction is hereby given to the Judge and Officers of the City Court shall be taken in the City Court, and shall be paid into the General Fund thereof, and the Judge and Officers of the City Court shall, out of the said General Fund, be respectively paid additional Salaries of such Amount as the Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, from Time to Time shall think fit to direct; and such Judge and Officers of the City Court shall conform to the Rules and Orders made under the Authority of this Act.

City Small Debts Court to have same Jurisdiction in all Matters as a Metropolitan County Court.

5. Any Legacy or Sum of Money to which any Person who is an Infant or absent beyond Seas may be found or declared entitled by any County Court in any Suit or Matter under this Act may be ordered by the Court to be paid to the Accountant General of the Court of Chancery, in accordance with the Provisions of Section Thirty-two of an Act passed in the Session of Parliament held in the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, Chapter Fifty-two; and the Person ordered to pay the same shall, within such Time as the Court shall direct, produce to the Registrar of the Court the Certificate of the Accountant General of the Payment of such Money; and if Default be made in such Payment the Judge may direct a Warrant of Execution to issue to the High Bailiff of the Court, who by such Warrant shall be empowered to levy or cause to be levied by Distress and Sale of the Goods and Chattels of such Person a Sum of Money equal in Amount

Power to Judge of a County Court to order any Legacy, &c. to which an Infant or Person beyond the Seas may be entitled to be paid into the Bank of England, in accordance with Provisions of Sect. 32. of 36 G. 3. c. 32.

Amount to the Sum which he was ordered to pay to the said Accountant General and to the Costs incurred by reason of such Default, and the Sum so levied shall be paid to and be receivable by the said Accountant General under the Direction of the Court; and all Amounts so paid or transferred into the Court of Chancery, with any Dividends thereon, shall be paid or transferred to the Person or Persons entitled thereto, or otherwise applied for his or their Benefit, on Application by Summons to One of the Vice-Chancellors while sitting at Chambers.

Act not to impair Jurisdiction of Stannaries Court.

6. Nothing in this Act contained shall be construed to impair the Jurisdiction of the Stannaries Court, or to give Authority to any County Court Judge to entertain Jurisdiction in any Case to which the Equitable Jurisdiction of the said Court at present extends.

Provisions of County Court Acts as to Juries, Suitors, and Witnesses extended to Suitors and Witnesses under this Act.

7. Whenever it is required that a Jury should be summoned for the Trial of any Matter arising out of the Jurisdiction given to the County Courts by this Act, it shall be summoned from the List of Jurors in the Possession of the Registrar of the County Court in which the Suit or Matter has been brought; and all the Enactments relating to the summoning, impannelling, and swearing of a Jury in a County Court, and to the Number of the Jury and the Unanimity of their Verdict, shall apply to every Jury summoned under this Act; and the Duties and Obligations of and upon all Jurors, Suitors, and Witnesses, and their Liability to Penalty and Punishment, shall, in any Proceeding under this Act, be the same as those created, authorized, and imposed by the several Statutes now in force relating to County Courts.

Power to enforce Judgments of County Courts in Equity.

8. For the due Execution of any Judgment, Decree, or Order made under the Authority of this Act, or of the Rules and Orders to be framed as herein-after provided, the Court shall have Power to order, and the Registrar upon such Order shall have Authority to seal and issue, and the High Bailiff to execute, any Writ or Warrant of Possession, Writ or Warrant of Execution, or other Process of Execution for carrying into effect any Judgment, Decree, or Order of the said Court; and such Writs, Warrants, and Processes shall be in the Form and executed at the Time and in the Manner to be set forth in the Rules and Orders to be framed as herein-after provided.

Where Amount of Subject Matter of Suit exceeds

9. If during the Progress of any Suit or Matter it shall be made to appear to the Court that the Subject Matter exceeds the Limit in point of Amount to which the Jurisdiction of the County Courts

Courts is hereby limited, it shall not affect the Validity of any Order or Decree already made, but it shall be the Duty of the Court to direct the said Suit or Matter to be transferred to the Court of Chancery, and thereupon the said Suit or Matter shall proceed in such One of the Vice-Chancellors Courts as the Lord Chancellor may by General Order direct; and such Vice-Chancellor shall have Power to regulate the whole of the Procedure in the said Suit or Matter when so transferred: Provided always, that it shall be lawful for any Party to apply to such Vice-Chancellor at Chambers for an Order authorizing and directing the Suit or Matter to be carried on and prosecuted in the County Court, notwithstanding such Excess in the Amount of the Limit to which Jurisdiction in the Matter is hereby given to the County Courts; and the Vice-Chancellor, if he shall deem it right to summon the other Parties or any of them to appear before him for that Purpose, after hearing such Parties, or on default of the Appearance of all or any of them, shall have full Power to make such Order.

Limit of the Jurisdiction of County Court, Suit may be remitted to Court of Chancery, &c.

10. With respect to the Court in which Proceedings in Equity shall be taken—

In what Courts Proceedings shall be taken.

1. Proceedings under this Act which relate to the Recovery or Sale of any Mortgage, Charge, or Lien on Lands, Tenements, or Hereditaments shall be taken in that County Court within the District of which the Lands, Tenements, or Hereditaments, or any Part thereof, are situate:
2. Proceedings under the Trustee Acts, 1850 and 1852, shall be taken in the County Court within the District of which the Persons making the Application, or any of them, reside or resides:
3. Proceedings for the Administration of the Assets of a deceased Person shall be taken in the County Court within the District of which the deceased Person had his last Place of Abode in *England*, or in which the Executors or Administrators, or any One of them, shall have their or his Place of Abode:
4. Proceedings in Partnership Cases shall be taken in the County Court within the District of which the Partnership Business was or is carried on:
5. Proceedings for the specific Performance or the Delivery up or cancelling of Agreements shall be taken in the County Court within the District of which the Defendants, or any One of them, reside or resides, or carry on or carries on Business:

6. Proceedings in any Suit or other Matter under this Act, which are not otherwise provided for, shall be taken or instituted in the County Court within the District of which the Defendants, or any or either of them, shall reside or carry on Business.

As to Transfer of Suit from one County Court to another.

11. If during the Progress of a Suit or Matter it shall be made to appear to the Court that the same could be more conveniently prosecuted in some other County Court, it shall be competent for the Court to transfer the same to such other County Court, and thereupon the Suit or Matter shall proceed in such other County Court.

Remuneration of Registrars and High Bailiffs in Matters of Equity.

12. The Registrars and High Bailiffs of the County Courts shall be remunerated for the Duties to be performed by them under the Jurisdiction in Equity given to the Courts by this Act, by receiving for their own Use such Fees as may be from Time to Time authorized to be taken by any Orders to be made by the Commissioners of the Treasury, with the Consent of the Lord Chancellor; and the Commissioners of the Treasury are hereby authorized and empowered, with such Consent as aforesaid, from Time to Time to make such Orders.

Certain Fees to be taken, and to be paid over to the Consolidated Fund, and the Salaries of the Judges to be increased by 300*l.* a Year.

13. In addition to the Fees to be authorized to be taken by Order of the Commissioners of Her Majesty's Treasury as aforesaid, there shall be paid by the Suitors the several Fees which are specified and set forth in the Schedule to this Act, or such further or other Fees as the said Commissioners, with the Consent of the Lord Chancellor, shall from Time to Time by Order direct, which Fees shall be received by the Registrar of the Court, and accounted for and paid over by him to the Treasurer of the Court, who shall, at such Times as the said Commissioners shall direct, pay such Fees into the Bank of *England* to the Credit of the Paymaster General, to be by him paid over to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Salaries paid out of such Fund to the Judges of the County Courts shall be increased by Three hundred Pounds a Year: Provided always, that the Salary of the Successor to any Judge who under this Act shall receive a larger Salary in the whole than One thousand five hundred Pounds shall not exceed One thousand five hundred Pounds: Provided also, that if any Judge heretofore appointed shall resign his Office by reason of any permanent Infirmity before he shall have received or become entitled to receive the increased Amount of Salary payable to him under this Act for the

the full Period of Five Years, any Annuity which the Lord Chancellor may recommend to be paid to him upon such Retirement shall be calculated with reference to the average Amount of Salary received or receivable by him for the Five Years next preceding the Date of such Retirement, and not with reference to the yearly Salary which he shall be entitled to as a Judge of County Court at the Time of presenting his Petition for the Grant of an Annuity.

Judge not obliged to hold Courts in the Month of September.

14. No Judge of any County Court shall be obliged to hold any Courts during the Month of *September* in any Year, unless he shall be ordered by the Lord Chancellor so to do; and if any Judge shall be desirous of holding Courts in the said Month of *September*, and of being relieved from the Obligation to do so at some other Period of the Year, it shall be lawful for such Judge, with the Sanction of the Lord Chancellor, to close the Courts upon his Circuit for any Period or Periods of Time of which the Lord Chancellor shall approve, not exceeding in the whole Four Weeks in any One Year: Provided always, that every County Court shall always be open for the Receipt and Payment out of Money due under any Order of the Court, pursuant to the Rules and Orders in force for the Time being, or for any Proceeding in Bankruptcy before the Registrar.

As to Registry of Judgments in London.

15. Such of the Judgments and Decrees as may be directed by any Rule or Order shall be registered with the Registrar of County Court Judgments in *London* in such Manner as may be therein directed.

Power to frame Rules and Orders under 19 & 20 Vict. c. 108.

16. The County Court Judges appointed or to be appointed by the Lord Chancellor from Time to Time to frame Rules and Orders for regulating the Practice of the Courts, and Forms of Proceeding therein, under the Thirty-second Section of an Act passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter One hundred and eight, shall frame the Rules and Orders for regulating the Practice of the County Courts under this Act, and Forms of Proceedings therein, and from Time to Time amend such Rules, Orders, and Forms; and such Rules, Orders, and Forms, or amended Rules, Orders, and Forms, certified under the Hands of such Judges or of any Three or more of them, shall be submitted to the Lord Chancellor, who may allow or disallow or alter the same, and so from Time to Time; and the Rules, Orders, and Forms, or amended Rules, Orders, and Forms, so allowed or altered, shall, from a Day to be named by the Lord Chancellor, be in force in every County Court.

17. The

Scale of Costs to be framed by the Judges.

17. The County Court Judges mentioned in the last Section shall be empowered to frame a Scale of Costs and Charges to be paid to Counsel and Attorneys with respect to all Proceedings which are herein authorized to be taken, and from Time to Time to amend such Scale; and such Scale or amended Scale, certified under the Hands of such Judges or any Three or more of them, shall be submitted to the Lord Chancellor, who from Time to Time may allow or disallow or alter the same; and the Scale or amended Scale so allowed or altered shall, from a Day to be named by the Lord Chancellor, be in force in every County Court.

Parties aggrieved may appeal.

18. If any Party in a Suit or Matter under this Act shall be dissatisfied with the Determination or Direction of a Judge of a County Court on any Matter of Law or Equity, or on the Admission or Rejection of any Evidence, such Party may appeal from the same to the Vice-Chancellor authorized as aforesaid, provided that such Party shall, within Thirty Days after such Determination or Direction, give Notice of such Appeal to the other Party or his Attorney, and also deposit with the Registrar of the County Court the Sum of Ten Pounds as Security for the Costs of the Appeal; and the said Court of Appeal may make such final or other Decree or Order as it shall think fit, and may also make such Order with respect to the Costs of the said Appeal as such Court may think proper; and such Orders shall be final: Provided that nothing herein contained shall authorize any Party to appeal against any Decision of a County Court, given upon any Question as to the Value of any Real or Personal Property, for the Purpose of determining the Question of the Jurisdiction of the Court under this Act, nor to appeal against the Decision of a County Court on the Ground that the Proceedings might or should have been taken in any other County Court.

Appeal to be made either to the High Court of Chancery or a Vice-Chancellor.

19. In any Case which may be the Subject of an Appeal under this Act in Causes arising within the County Palatine of *Lancaster*, the Appeal may be made either to the High Court of Chancery or a Vice-Chancellor thereof, or to the Court of Chancery of the County Palatine of *Lancaster* or the Vice-Chancellor thereof; and that in case of an Appeal to the Court of Chancery for the said County Palatine or the Vice-Chancellor thereof, the Order on such Appeal shall have the same Effect as if it had been made by a Vice-Chancellor of the High Court of Chancery; but no Appeal shall be made to the Court of Chancery of the said County Palatine or the Vice-Chancellor thereof unless the Consent thereto in Writing of the Respondent or Respondents on such Appeal, or of his or their Solicitor or Solicitors, shall be first obtained.

20. The

20. The present Registrar of the *Bloomsbury* County Court of *Middlesex*, not being an Attorney or Solicitor, but holding his Office by virtue of Section Twelve of the Act passed in the Session of Parliament holden in the Ninth and Tenth Years of Her present Majesty, Chapter Ninety-five, shall be entitled on the passing of this Act to claim and receive Compensation for the Loss of such Office in the same Manner as is provided by Section Thirty-eight of the said Act; and the Amount of Compensation to be awarded shall be paid out of Monies that may be voted by Parliament for that Purpose.

Registrar of the Bloomsbury County Court of Middlesex, not being an Attorney or Solicitor, to be entitled to retire from his Office with Compensation.

21. This Act and the Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, and any Act amending or altering the same, shall be read and construed as One Act, as if the several Provisions contained in the said Acts referred to, not inconsistent with the Provisions of this Act, were repeated and re-enacted in this Act.

This Act and 9 & 10 Vict. c. 95., and any Act amending or altering the same, to be construed together.

22. The Salary of *Thomas Rodgers* Esquire, who in respect of his abolished Office of Deputy Steward of the Court Baron of the Manor of *Ecclesall* in the County of *York* became, under the Provisions of Section Eleven of the Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, Joint Registrar of the County Court of *Yorkshire* holden at *Sheffield*, shall, in consideration of the great Increase of Labour and Responsibility of the said last-mentioned Office, be from the passing of this Act Seven hundred Pounds a Year, notwithstanding the Restriction contained in Section Eighty-two of the Act passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter One hundred and eight; and upon the Death, Removal, or Resignation of either of the Persons now in possession of the Office of Registrar of the said County Court no other Person shall be appointed to such Office of Registrar, jointly or otherwise, until both the Persons holding such Office on the First Day of *June* in the Year One thousand eight hundred and sixty-five shall have died, been removed, or have resigned.

Salary of T. Rodgers, Esq., as Joint Registrar of the County Court of Yorkshire, holden at Sheffield, to be 700*l.* a Year.

23. The Provisions of this Act shall come into operation on the First Day of *October* One thousand eight hundred and sixty-five, except the Provisions relating to framing a Scale of Costs and making Rules and Orders of Practice and Forms of Proceeding, and except the Provision which relieves the Judges from the

Commencement of Act.

Obligation of holding Courts during the Month of *September* without the Order of the Lord Chancellor, which Provisions shall come into operation on the passing of this Act.

SCHEDULE.

	£	s.	d.
On the Commencement of every Suit or Matter - -	0	10	0
On setting down any Matter for Hearing - -	1	0	0
On Application for Final Decree or Decretal Order -	1	0	0

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

****

CAP. C.

An Act to transfer from the Admiralty to the Board of Trade Powers and Duties relative to certain Harbours. [5th *July* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Her Majesty, by Orders in Council, to transfer from Admiralty to Board of Trade Harbours named in Schedule to this Act

1. It shall be lawful for Her Majesty in Council, from Time to Time, by Order in Council, on the joint Recommendation of the Commissioners of the Admiralty and the Board of Trade, to transfer, as from such Time as seems fit, from the Commissioners of the Admiralty to the Board of Trade, all or any of the Harbours specified in the Schedule to this Act, with the Breakwaters, Piers, Jetties, Quays, Wharves, Lighthouses, Roads, Approaches, Works, Buildings, and Things belonging thereto, and the Ground and Soil thereof, and the Lands and Hereditaments acquired for the Purposes thereof, and all Powers and Duties in relation thereto, as far as at the Time of the Transfer taking effect the Harbours, Property, Powers, and Duties aforesaid are vested in or imposed on the Commissioners of the Admiralty, but subject in any Case to such

such Conditions and Restrictions (if any) as to Her Majesty in Council seem fit.

Board of Trade to hold Harbours, &c. for Public Service.

2. All Harbours and Property transferred under this Act to the Board of Trade shall be vested in them in trust for Her Majesty, Her Heirs and Successors, for the Public Service.

Publication, &c. of Orders in Council.

3. Every Order in Council under this Act shall be published in the *London Gazette;* and a Copy of the *London Gazette* containing any such Order shall be conclusive Evidence of the making and Publication of such Order, and every such Order shall be judicially noticed without being specially pleaded.

Orders to be laid before Parliament.

4. Every Order in Council under this Act shall be laid before both Houses of Parliament within Thirty Days after the making thereof if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament.

Short Title.

5. This Act may be cited as The Harbours Transfer Act, 1865.

SCHEDULE.

Harbours to be transferred.

PORTLAND.	ST. CATHERINE'S, JERSEY.
DOVER (the Outer Harbour).	ALDERNEY.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.

BENGAL SECRETARIAT
LIBRARY

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. CI.

An Act for authorizing Transferable Debentures to be charged upon Land in *Ireland*.

[5th *July* 1865.]

WHEREAS it is expedient to authorize the Creation of Transferable Debentures to be charged upon Land in Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act shall apply to *Ireland* only. Extent of Act.

2. In any Act of Parliament, Document, or Proceeding, this Act shall be sufficiently designated as "The Land Debentures (*Ireland*) Act, 1865." Short Title.

3. In the Construction of this Act, and of this Section thereof, the following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context requiring a different Construction: Interpretation of Terms.

The Word "Court" means the Landed Estates Court of *Ireland*:

 The

The Word "Certificate" means a Certificate declaring Land chargeable with Debentures under this Act:

The Word "Debenture" means a Debenture charged upon Land under this Act:

The Word "Person" extends to and includes a Body Politic or Corporate, whether aggregate or sole, and any Company as well as a private Individual, and includes also the Assignees of any Bankrupt or Insolvent:

The Word "Possession" includes the Receipt of Rents and Profits:

The Word "Land" includes and extends to Lands, Tenements, and Hereditaments held in Fee Simple or Fee-farm, also impropriate Rentcharges in lieu of Tithe, and other perpetual Rentcharges or Annuities and Fee-farm Rents issuing out of Land in Ireland, whether subject or not subject to any Incumbrance:

The Words "recorded Land" mean any Land the Title to which shall be recorded under the "Record of Title Act (*Ireland*), 1865:"

The Word "Owner," as applied to Land or recorded Land, means the Person or Persons entitled for his or their own Benefit, at Law or in Equity, in possession, to a Fee Simple, Fee-farm, or perpetual Interest in any Land or recorded Land as above defined:

The Word "Incumbrance" means any legal or equitable Charge by Mortgage, Lien, Judgment, Decree, Rule, or Order, Crown Bond, Recognizance, Legacy, Portion, Trust, or otherwise, whereby any Sum of Money is secured upon or made payable out of any Land, and includes also any Easement, and any Rentcharge, Annuity, or other annual or periodical Charge or Payment, except only Quit and Crown Rents, Rentcharges in lieu of Tithe, and Charges imposed by any Act for the Drainage or Improvement of Land:

And the Word "Incumbrancer" means any Person entitled to an Incumbrance, or to require the Payment, Discharge, or Benefit thereof.

Court may certify Land to be chargeable with Debentures.

4. It shall be lawful for the Owner of any recorded Land to apply to the Court to have such Land declared chargeable with Debentures under this Act. Thereupon the Court shall investigate the Title to the Land, and its existing State and Circumstances. If upon such Investigation it appear proper to grant the Application, as to the whole or any Part of the Land, the Court shall certify to that Effect, and shall cause an Entry of such Certificate to be made in its Books, in such Form as it may deem fit.

5. After

5. After the Entry of such Certificate it shall be lawful for the Owner of the Land described therein, at any Time and from Time to Time, to issue Debentures under this Act pursuant to such Certificate, on satisfying the Court that no just Rights of other Parties which have accrued since the Date of the Certificate will be injuriously affected thereby. The Sanction of the Court to the Issue of any Debenture shall be signified in such Manner as the Court may by any General Order authorize for that Purpose.

Owner of Land may issue Debentures with Sanction of Court.

6. A Debenture, when issued under the Sanction of the Court, shall be well charged upon the Land described in the Certificate under which it is issued.

Form and Effect of Debenture.

All Debentures shall be in such Form as the Court may approve of; for such Sums of Money, bearing Interest at such Rate or Rates, or not bearing Interest, and payable or redeemable at such Time or Times, not being less than Six Months nor more than Ten Years from the Date of the Certificate, as to the Court may seem fit.

7. Before sanctioning the Issue of any Debenture the Court shall cause an Entry thereof to be made in its Books. After the Issue of any Debenture under the Sanction of the Court the Owner of the Land charged therewith may transfer such Debenture, by means of a Memorandum to that Effect entered in the Books of the Court. Every Transferee of a Debenture may also transfer it by means of a Memorandum in the Books of the Court. The Transfer shall be in such Form as the Court may approve of. It shall vest in the Person to whom it is made the Ownership of the Debenture, and all Rights of Action or Suit which the Transferor had at the Time of such Transfer. Every Debenture shall be for a Sum of not less than Fifty Pounds, and shall specify the Place where the Principal and Interest shall be payable.

Transfer of Debentures.

8. A Debenture may have annexed to it Coupons, entitling the Bearer to the Interest payable in respect thereof. The Payment to the Bearer of any Coupon of the Amount expressed therein shall be a full Discharge to the Person paying the same of all Liability in respect of the Coupon and the Interest represented thereby.

Coupons.

9. In the Case of unincumbered Land no Debenture shall be charged for such a Principal Sum as, either solely or together with the Amount of the Principal Sum or Sums charged on the same Land by virtue of any other Debenture or Debentures, shall be more than Ten Times the Sum which may appear to the Court to be the yearly Value of such Land, not exceeding, in any Case, the Value fixed by the Public Valuation of Lands in *Ireland*, having regard, amongst

Debentures on unincumbered Land.

amongst other Matters, to any Lease then affecting the same; nor shall there be reserved by any Debenture upon such unincumbered Land Interest of such annual Amount as, either solely or together with the annual Interest reserved and charged by any other Debenture or Debentures upon the same Land, shall exceed One Half of what may appear to the Court to be its yearly Value as aforesaid.

Debentures on incumbered Land.

10. If the Charge proposed to be created by Debenture is to be puisne or subject to any other Incumbrance the Court shall have regard thereto, and shall estimate such other Incumbrance at its full Value; and shall so limit the Debentures which it may think fit to issue, that their Amount shall be as amply secured as Debentures would be if charged on unincumbered Land to an Amount not exceeding Ten Times the yearly Value thereof.

Priority of Debentures.

11. Debentures upon any Land shall be puisne and subject to the several Incumbrances specified or referred to in the Certificate; also to Quit or Crown Rents, to Rentcharges in lieu of Tithe, and to Charges imposed by any Act heretofore made for the Drainage or Improvement of Land. With those Exceptions, all Debentures charged upon any Land shall be the First Incumbrances thereon. Where there shall be more than One Debenture charged on the same Land there shall be no Priority as between the several Debentures, notwithstanding any Priority in the Date or Number thereof.

Debentures mutilated or injured.

12. In case any Debenture shall be given up to the Court in a mutilated or injured State, it shall be lawful for the Court to cancel such Debenture, and to sanction the Issue in its place of a new Debenture, on such Terms and the Payment of such Fees as the Court may consider just.

Debentures destroyed or lost.

13. In case it shall be proved to the Satisfaction of the Court that any Debenture was destroyed or lost, it shall be lawful for the Court to sanction the Issue in its place of a Duplicate Debenture, marked as such, on such Terms and the Payment of such Fees as the Court may consider just; but without Prejudice to the Rights of any Holder of the original Debenture, by whom it may afterwards be actually produced. Such Duplicate Debenture shall be transferable by Entry only in the Books of the Court.

Limitation of Principal and Interest.

14. Every Debenture shall be deemed a Sum of Money charged upon Land within the Meaning of Sections Forty and Forty-two of the Act of the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Twenty-seven, intituled *An Act for the*

the Limitation of Actions and Suits relating to Real Property, and for simplifying the Remedies for trying the Rights thereof, and shall be subject to the Periods of Limitation prescribed by those Sections as to Principal and Interest respectively.

15. Every Debenture, when vested in any Person other than the Owner of the Land charged therewith, shall be deemed Personal Estate; and when vested in the Owner of the Land, shall be deemed Real Estate.

Debentures, Personal or Real Estate.

16. A Debenture shall be deemed to be a Charge by way of Mortgage, and the Money payable under a Debenture a Mortgage Debt within the Operation of the Act passed in the Seventeenth and Eighteenth Years of the Queen, intituled *An Act to amend the Law relating to the Administration of the Estates of deceased Persons.*

Debenture to be a Charge by way of Mortgage.

17. On the Application of the Owner of the Land charged with any Debenture, and on being satisfied by Affidavit or otherwise that the Principal Money has remained unpaid for Thirty Days by reason of Failure on the Part of the Debenture Holder to receive Payment, or that there is other proper Ground for the Application, the Court may, if and on such Terms as it shall think fit, order that the Applicant be at liberty, within Seven Days or such other Time as it shall consider reasonable, to pay the Principal due and the Interest up to the Date of such Payment into the Bank of *Ireland*, to the Account of such Matter as the Court may direct, with the Name of the Owner of the Land, but in trust to attend the Orders of the Court.

The Payment of the Money into Bank pursuant to such Order shall, as regards the Owner of the Land, be deemed a Payment by him to the Holder of the Debenture.

Provision as to the Payment of Money into Court.

18. The Land charged, or the Owner thereof, shall not be affected by any Trust affecting a Debenture, or by any Notice whatever of such Trust; but the Party entitled to the Benefit of such Trust may nevertheless proceed to establish the same as against the Holder of the Debenture.

Trusts affecting Debentures.

19. The Owner of any Debenture to whom any Interest shall remain due for the Term of One Month after the Time appointed for the Payment thereof shall be at liberty to apply to the Court for a Sale of the Land charged with such Debenture.

When Interest due, Application may be made for Sale.

20. The Court shall thereupon give to the Holder of every Debenture the Option either to have the Sum due for Principal and Interest

Option to be paid out of Sale.

Interest on his Debenture paid out of the Proceeds of the Sale, according to the Priority of his Demand, or to have the Interest only paid, and to permit the Principal to remain a Charge on the unsold Lands until the Time appointed by the Debenture for Payment of the Principal.

Indemnity to Trustees as to Option.

21. If the Owner of any over-due Debenture shall be a Trustee, he shall not be deemed guilty of a Breach of Trust, nor be accountable for the Manner in which he may exercise such Option.

When Debenture due, Application may be made for Sale.

22. The Owner of any Debenture which shall remain unpaid at the Time appointed by such Debenture for Payment of the Principal thereof may apply to the Court for a Sale of the Land charged therewith.

On Consent, new Debenture may be issued.

23. In case the Owner of any Debenture, and the Owner of the Land charged therewith, shall so consent, it shall be lawful for the Court to sanction the Issue of a new Debenture in place of such over-due Debenture, which new Debenture shall bear such Interest and shall be payable at such Time as shall be therein expressed.

Indemnity to Trustees as to Consent.

24. If the Owner of any over-due Debenture shall be a Trustee, he shall not be deemed guilty of a Breach of Trust by reason of his giving or withholding his Consent to the Acceptance of such new Debenture.

Owner of over-due Debenture refusing new one, may be paid off by Owner of Land.

25. In case the Owner of any over-due Debenture shall refuse to accept a new Debenture in lieu thereof, the Owner of the Land charged therewith may pay off the same, and apply to the Court to sanction the Issue of a new Debenture in lieu thereof.

If Owner of Land under Disability, Court may appoint Guardian.

26. If the Owner of any Land shall be under any Disability, the Court may appoint a Guardian *ad litem* for such Owner; and the Consent and Directions of such Guardian shall have the same Effect as if the Owner had been under no Disability, and had given such Consent or Directions.

Court may dismiss Proceedings on Payment.

27. The Court shall have Authority to dismiss any Proceeding upon Payment of Interest and Costs, or on such further or other Terms as it may deem equitable.

Debenture Holder to have no Claim on Court or Public Funds.

28. Under no Circumstances shall the Holder of a Debenture have any Claim whatever upon the Court, or upon any Public Funds, in respect of any Mistake or Omission relating to the Value, Quality, or Title of or to the Estate, or otherwise howsoever.

29. Within

29. Within the Meaning of the several Acts in force relating to Stamps, a Certificate under this Act shall be deemed to be a Deed not specifically charged nor expressly exempted. A Debenture shall be deemed to be a Mortgage made as a Security for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage. Stamp Duties.

Provided that no Debenture shall be transferred by means of a Memorandum in the Books of the Court until it shall have been stamped with the Amount of Stamp Duty applicable in the Case of Mortgages given by Public Companies, as mentioned in the Fourteenth Section of the Act of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Fifty-nine.

30. The Court may frame and promulgate all such Forms, Rules, and Directions as it shall consider requisite or expedient for the Assistance and Guidance of Persons acting under this Act; for annulling Certificates; for regulating the Transfer of Debentures; for calling in or cancelling Debentures, and for the Issue of others, in case of Forgery, Abstraction, Destruction, Defacement, or other like Inconvenience; for the giving of Notices; and generally for facilitating or regulating the Course of Procedure, or giving effect to the Purposes and Provisions of this Act. Court may frame Forms and Rules.

31. The Court shall also have the same or the like Powers and Authorities for the Purposes of this Act as it has for those of the Act or Acts of Parliament under which it is at present constituted, as well in relation to the Appointment or Removal and to the Salaries of necessary Officers, as also to the making of General Orders, the Conduct or Costs of Proceedings, the Production of Documents or Examination of Witnesses, and to any other Matter requisite for effecting the Objects of this Act. General Powers.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

CAP. CII.

An Act to amend an Act of the Twentieth and Twenty-first Years of Her Majesty, for the Abatement of the Nuisance arising from the Smoke of Furnaces in *Scotland*, and an Act of the Twenty-fourth Year of Her Majesty, to amend the said Act. [5th *July* 1865.]

WHEREAS an Act was passed in the Session of Parliament held in the Twentieth and Twenty-first Years of the Reign of Her present Majesty, intituled *An Act for the Abatement of the Nuisance arising from the Smoke of Furnaces in* Scotland: And whereas another Act was passed in the Twenty-fourth Year of the Reign of Her present Majesty, intituled *An Act to amend an Act of the Twentieth and Twenty-first Years of the Reign of Her Majesty, for the Abatement of the Nuisance arising from the Smoke of Furnaces in* Scotland: And whereas it is expedient that the same be amended, to the Effect after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

20 & 21 Vict. c. 73

24 & 25 Vict. c. 17.

1. The

Interpretation of the Word "Place" in first-recited Act.

1. The Word "Place" in the said first-recited Act shall mean and include every Burgh and Town of *Scotland* which is not a Royal Burgh, provided the same comprehend a Population of not less than Two thousand, and shall include the whole Area contained within the Parliamentary or Police Limits or Boundaries thereof; and the said recited Acts shall extend and apply to every such Burgh and Town containing the foresaid Amount of Population in the same Manner and as fully in all respects as if such Burghs and Towns had been included in the Meaning of the Word "Place" in the said first-recited Act.

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CAP. CIII.

An Act to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol in the Borough of *Falmouth*.

[5th *July* 1865.]

WHEREAS it is expedient to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol for the Borough of *Falmouth*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Falmouth* Gaol Discontinuance Act, 1865."

Commencement of Act.

2. This Act shall not come into operation until the First Day of *January* One thousand eight hundred and sixty-six, which Day is herein-after referred to as the Commencement of the Act.

Falmouth to cease to have separate Court of

3. From and after the Commencement of this Act no separate Court of Quarter Sessions shall be holden for the Borough of *Falmouth*, and there shall be no Recorder and no Coroner for the

Quarter Sessions.

the said Borough, and the said Borough shall for all the Purposes of a County Rate, and of the Jurisdiction of the County Justices and of the County Coroner, and for all other Purposes, be deemed to be a Borough to which a separate Commission of the Peace, but no separate Court of Quarter Sessions, has been granted.

Provision as to Prison at Falmouth

4. From and after the Commencement of this Act no Person shall be committed to the Prison at *Falmouth*, and all Persons who would otherwise have been committed to the Prison at *Falmouth* shall be committed to the Prison of the County of *Cornwall*, and shall be dealt with in all respects as if the Borough of *Falmouth* had never had a separate Court of Quarter Sessions, and never had a separate Gaol.

Removal of Prisoners in Falmouth Prison.

5. As soon as conveniently may be after the Commencement of this Act the Gaoler of *Falmouth* Prison shall, without Writ of Habeas corpus or other Writ for that Purpose, remove every Prisoner under Sentence or committed for Trial in such Prison to the Prison of the County of *Cornwall*, and deliver such Prisoner into the Custody of the Gaoler of the said County Prison, together with the Writ and other Process under which the Prisoner was arrested or confined; and the Gaoler of the said County Prison shall be bound to receive such Prisoner, and shall give a Receipt to the Gaoler of the *Falmouth* Prison for every Prisoner removed in pursuance of this Section; and all Prisoners so removed who may have been committed for Trial shall be tried in all respects in the same Manner as if they had originally been committed to the County Prison for Trial by a Justice or Justices of the County of *Cornwall*; and all other Prisoners so removed shall be dealt with in all respects in the same Manner as if they had originally been sentenced to be confined in the said County Prison instead of in *Falmouth* Prison.

Prison at Falmouth to belong to County of Cornwall

6. Subject to the Provision herein contained as to the Removal of the Prisoners to the County of *Cornwall*, the Prison of the said Borough of *Falmouth* shall from and after the Commencement of this Act vest in the Clerk of the Peace for the Time being of the said County of *Cornwall*, and his Successors, to be held by him and them on trust for the said County, to be used as a Lock-up House so long as the said Justices may require the same, and subject thereto to be held upon trust for the said Borough, to be sold, and the Proceeds of such Sale to be paid to such Persons and to be applied in such Manner as the Council of the said Borough may direct.

7. The

Falmouth Borough.

7. The Recorder of *Falmouth* shall be entitled to receive his Salary during his Life, or until such Time as he accepts some other Office of equal or greater Value, or of such Character as would if he had continued Recorder have disqualified him from holding or been inconsistent with his holding the Office of Recorder; and the Council of the said Borough of *Falmouth* may allow such Compensation or Allowance as they think fit to any other Person who, by reason of the passing of this Act, is deprived of any Salary or Emoluments, so that no such Compensation or Allowance exceeds the Proportion of the Salary and Emolument, if any, which might be granted under similar Circumstances to a Person in the Civil Service under the Acts for regulating such Compensations or Allowances for the Time being in force; and any Compensation or Allowance so allowed shall be paid out of any Rates applicable to the Payment of the Salaries of such Officers.

Compensation and Superannuation Allowances to Recorder, &c. at Falmouth.

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CAP. CV.

An Act to continue the Poor Law Board for a limited Period. [5th *July* 1865.]

WHEREAS by the Act of the Eleventh Year of the Reign of Her Majesty, Chapter One hundred and nine, Provisions were made for the Constitution and Appointment of Commissioners for administering the Laws for the Relief of the Poor in *England*, and for the Appointment of other Officers, which Provisions have been continued until the Twenty-third Day of *July* last and the End of this Session of Parliament: And whereas it is expedient that such Provisions should be further continued for a limited Period: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Continuance of the Poor Law Board for One Year.

1. That the Commissioners appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said Act, together with every Person by the said Act constituted by virtue of his Office such Commissioner, and every Officer and Person appointed or to be appointed by the Commissioners under the Provisions of the said Act, shall be empowered, unless he shall previously resign or be removed, to hold

hold his Office and exercise the Powers thereof until the Twenty-third Day of *July* One thousand eight hundred and sixty-six and to the End of the then next Session of Parliament; and until the Expiration of the said last-mentioned Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at Pleasure, to remove the Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, and upon every Vacancy in the Office of such Commissioner to appoint, as in the said Act is mentioned, some other fit Person to the said Office.

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CAP. CVI.

An Act to authorize Loans in aid of the Construction of Docks in *British* Possessions.

[5th *July* 1865.]

WHEREAS with a view to secure Accommodation for Vessels of the Royal Navy in *British* Possessions abroad it is expedient to authorize Loans in aid of the Formation there of Docks of Dimensions greater than would be requisite for commercial or other private Purposes only:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as The Colonial Docks Loans Act, 1865. Short Title.

2. In this Act—

The Term "the Admiralty" means the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral: Interpretation of Terms.

The Term "Dock" includes Basin or other Work for the Reception of Vessels:

 The

The Term "Colony" includes any Plantation, Island, or other Possession within Her Majesty's Dominions, exclusive of the United Kingdom and its immediate Dependencies, and exclusive of *India* as defined by the Act of Parliament of 1858 "for the better Government of *India*:"

The Term "Person" includes any Authority, and any Body, corporate or unincorporate.

Power to Treasury to issue out of Consolidated Fund any Sums not exceeding 300,000*l.* to Account of Admiralty.

3. For the Purposes of Loans under this Act, the Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under the Hands of any Two or more of them, cause to be issued out of the Consolidated Fund of the United Kingdom or the growing Produce thereof, to the Account of the Admiralty, any Sums of Money not exceeding in the whole the Sum of Three hundred thousand Pounds.

Account of Admiralty to be opened at Bank of England.

4. The Governor and Company of the Bank of *England* shall open in their Books an Account with the Admiralty under the Title of "The Lord High Admiral or Commissioners of the Admiralty for "the Time being on account of Colonial Docks."

Money issued to be carried to Account of Admiralty.

5. All Money from Time to Time issued under this Act out of the Consolidated Fund shall be carried to the Credit of the said Account.

Loans for Docks to be out of Money issued.

6. Out of the Money for the Time being standing to the Credit of the said Account, the Admiralty may from Time to Time, if and as it seems fit, with the previous Approval in each Instance of the Commissioners of Her Majesty's Treasury, lend such Sums of Money as may be required to any Person forming or enlarging any Dock in any Colony, and being willing to make the same of Dimensions sufficient to meet the Requirements of Her Majesty's Naval Service, on such Terms and Conditions as may be agreed on between the Admiralty and the Borrower, subject nevertheless and according to the following Provisions:

(1.) The Money lent shall not exceed the Sum of Twenty thousand Pounds, nor shall it exceed the estimated Cost of increasing the Dimensions of the Dock beyond those required for commercial or other private Purposes:

(2.) The Amount agreed to be lent shall be made payable by Instalments as the Works connected with the Formation or Enlargement of the Dock progress:

(3.) The Money lent shall bear Interest at not less than Four Pounds *per Centum per Annum*:

(4.) All

(4.) All and every Part of the Money lent shall be made repayable by Instalments within a Period not exceeding Twenty-one Years from the respective Dates of the Payments on account of the Loan:

(5.) The Borrower shall give Security to the Satisfaction of the Admiralty and of the Commissioners of Her Majesty's Treasury, by Mortgage of the Dock where practicable, or otherwise, for Payment of Interest and Repayment of Principal.

Loan not restricted as to Powers of Borrower.

7. By virtue of this Act, any Loan may be made, and any Security may be given, by way of Mortgage or otherwise, on any Dues, Rates, Tolls, Revenues, or Property of the Borrower, notwithstanding the Absence of any Power in the Borrower so to borrow or give Security, except by virtue of this Act, and notwithstanding any Limitation of the Amount authorized to be raised under any Borrowing Power.

Priority of Mortgages under this Act.

8. Every Mortgage or other Security in respect of a Loan under this Act shall have Priority to all other Securities and Charges whatever on or affecting the Dues, Rates, Tolls, Revenues, or Property comprised in such Mortgage or other Security, except to a Security or Charge of prior Date and Execution, securing Money actually lent before the Date of the Agreement for the Loan under this Act.

Style of Admiralty in Deeds, &c.

9. In any Agreement, Deed, or Instrument made or executed under this Act, the Admiralty may be styled "The Lord High "Admiral of the United Kingdom, or the Commissioners for "executing the Office of Lord High Admiral," without any Name being expressed.

Signatures, &c. of Two Commissioners.

10. Any such Agreement, Deed, or Instrument signed or executed by Two of the Commissioners of the Admiralty shall be as valid and effectual as if signed or executed by the Commissioners for the Time being.

Mortgaged Property to vest in Admiralty, &c.

11. All the Estate, Interest, Rights, and Powers of the Admiralty under any Mortgage or other Security in respect of a Loan under this Act shall by virtue of this Act go to and vest in the Lord High Admiral or Commissioners of the Admiralty for the Time being in succession.

Payment of Interest and Repayment of Principal.

12. All Interest from Time to Time payable, and all Principal Money from Time to Time repayable, in respect of any Loan under this Act, shall be paid, under the Direction of the Admiralty, to the Cashiers of the Governor and Company of the Bank of *England*, and

and when so paid shall be carried to the Credit of the Account kept by them with Her Majesty's Exchequer.

Transfer back to Consolidated Fund.

13. Any Money for the Time being standing to the Credit of the Account opened with the Admiralty may from Time to Time, under the Direction of the Commissioners of Her Majesty's Treasury, be transferred by the Governor and Company of the Bank of *England* to the Account kept by them with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom.

Agreements for Loans to be laid before Parliament.

14. Every Agreement for a Loan under this Act shall be laid before both Houses of Parliament within Thirty Days after the making thereof, if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament.

Agreements before passing of this Act confirmed.

15. Any Agreement made before the passing of this Act by the Admiralty, and approved by the Commissioners of Her Majesty's Treasury, for a Loan for such a Purpose as aforesaid, is hereby confirmed; and any Money may be lent, and all Interest agreed for shall be paid, and all Instalments of Principal Money agreed for shall be repaid, as nearly as may be in all respects as if the Agreement were made under this Act.

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One hundred and twenty-five, "for more effectually repairing and "improving certain Roads in the Counties of *Kent* and *Surrey*, "commonly called 'The *New Cross* Turnpike Roads';" an Act of the Seventh and Eighth Years of King *George* the Fourth, Chapter Seven, "for more effectually repairing and improving the Roads "from the North-west Parts of the County of *Lincoln*, through "*Nettleham Fields*, *Wragby Lane*, and *Baumber Fields*, to the "North-east Part of the said County, and other Roads therein "described in the said County and in the City of *Lincoln*;" an Act of the Ninth Year of King *George* the Fourth, Chapter One hundred and eight, "for repairing, improving, and maintaining in repair the "Turnpike Roads from *Wat's Cross* to *Cowden*, and from *Sevenoaks* "*Common* to *Crockhurst Hatch Corner*, and from *Penshurst Town* "to *Southborough*, in the County of *Kent*;" an Act of the First Year of King *William* the Fourth, Chapter Eight, "for repairing "the Road leading from *Dartford* to *Sevenoaks* in the County of "*Kent*;" an Act of the Third Year of King *William* the Fourth, Chapter Fifty-three, "for repairing and maintaining the Road from "*Stone Street Hatch* at *Ockley* in the County of *Surrey* to *Warnham* "in the County of *Sussex*;" an Act of the same Year, Chapter Sixty-one, "for repairing and improving the Road between the "Towns of *Ross* and *Abergavenny*, by *Broad Oak* and *Skenfrith*, "and certain Roads connected therewith leading to *Grosmont* and "other Places, and for making and maintaining certain Branches "of Road to communicate therewith, all in the Counties of *Here-* "*ford* and *Monmouth*;" an Act of the Third and Fourth Years of King *William* the Fourth, Chapter One hundred, "for continuing "certain Powers to the Trustees of the Road from *Kentish Town* to "*Upper Holloway* in the County of *Middlesex*;" an Act of the Second Year of Her present Majesty, Chapter Fourteen, "to extend, "alter, and amend the Powers and Provisions of an Act passed in "the Seventh Year of the Reign of His late Majesty King *George* "the Fourth, relating to the *New Cross* Turnpike Roads in the "Counties of *Kent* and *Surrey*;" an Act of the Fifth Year of Her present Majesty, Chapter Forty-five, "to alter some of the Pro- "visions of an Act passed in the Seventh Year of the Reign of King "*George* the Fourth, relating to the *New Cross* Turnpike Roads in "the Counties of *Kent* and *Surrey*;" an Act of the Sixth and Seventh Years of Her present Majesty, Chapter One hundred and eight, "for more effectually repairing certain Roads in the Parishes "of *Bermondsey*, *Rotherhithe*, and *Saint Paul* and *Saint Nicholas* "*Deptford*, and for making several new Roads connected therewith, "all in the Counties of *Surrey* and *Kent*;" and an Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Eighty-five, "for repairing the Road leading from a certain Point "in

" in the *Kennington Road* in the Parish of *Saint Mary Lambeth*
" in the County of *Surrey* to *Highgate* in the County of *Sussex*,
" and thence to *Witchcross* in the same County, and several other
" Roads therein mentioned."

Application of Sects. 118. and 124. of 3 G. 4. c. 126. to Turnpike Roads that have become ordinary Highways

2. The Sections relating to Encroachments on Turnpike Roads contained in the Act of the Third Year of King *George* the Fourth, Chapter One hundred and Twenty-six, and numbered respectively One hundred and eighteen and One hundred and twenty-four, shall continue in force in relation to any Road which, having been a Turnpike Road, may, at any Time after the passing of this Act, become an ordinary Highway, in the same Manner as if such Road had continued to be a Turnpike Road; and in the Construction of the said Section the Highway Board shall be deemed to be the Trustees or Commissioners where the Road is within the Jurisdiction of a Highway Board, and in other Cases the Surveyor or other local Authority having the Care of the Road shall be deemed to be such Trustees or Commissioners.

Meetings of Trustees or Commissioners.

3. It shall be the Duty of the Trustees or Commissioners of a Turnpike Road that is about to become or has become an ordinary Highway to hold such Meetings as may be necessary for the complete winding-up of the Affairs of their Trust or Commission, and any such Meeting shall be legal if held at any Time within Two Months after the Time limited for the Expiration of their Trust or Commission.

Short Title

4. This Act may be cited for all Purposes as "The Annual Turnpike Acts Continuance Act, 1865."

SCHE-

SCHEDULE.

53 G. 3. c. xli. An Act for more effectually repairing the Road from the Horseshoe Corner in Godmanchester in the County of Huntingdon to the South-east End of Castle Street in the Town of Cambridge in the County of Cambridge.

54 G. 3. c. lxxxv. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the End of the Turnpike Road from Besselsleigh to Hungerford in the County of Berks, to Leckford, otherwise Sousley Water, in the County of Wilts.

55 G. 3. c. xc. An Act for continuing and amending an Act of His present Majesty, for repairing several Roads leading from Shenfield to Harwich and Rochford and other Places in the County of Essex, and for extending the said Act to the Road from Great Hallingbury to Hockerill in the County of Hertford.

59 G. 3. c. cxxii. An Act to continue the Term and alter and enlarge the Powers of an Act of His present Majesty's Reign, for repairing the Road from the Guide Post in the Village of Adderbury in the County of Oxford, through Kidlington, to the End of the Mileway in the City of Oxford.

3 G. 4. c. iii. An Act for more effectually repairing, widening, amending, and improving the Roads from Wigan to Preston in the County Palatine of Lancaster.

4 G. 4. c. lxii. An Act for more effectually repairing the Roads from Dyed Way to Somerton and from Gawbridge to Tintinhull Fords, and from a Stream of Water called Ford to Cartgate in Martock, and other Roads therein mentioned, in the County of Somerset.

4 G. 4 c. cvi. An Act for more effectually repairing and improving the Roads leading from Whitechapel Church in the County of Middlesex unto Passingford Bridge, and through and to the End of the several Parishes or Places of Shenfield and Woodford in the County of Essex, and for other Purposes relating thereto.

4 G. 4. c. cviii. An Act for more effectually repairing the Road leading from Beaconsfield in the County of Buckingham to Stoken Church in the County of Oxford.

5 G. 4. c. xi. An Act for amending and maintaining the Roads leading from the Town of Newent in the County of Gloucester and other Roads in the Counties of Gloucester and Hereford

5 G. 4. c. xxv. An Act for improving and keeping in repair the Road from Span Smithy in the County of Chester to Talk in the County of Stafford.

5 G. 4. c. lvi. An Act for repairing the Lower Road from Greenwich to Woolwich in the County of Kent.

7 G. 4. c. cxxvi. An Act for more effectually repairing the Road from Whitecross in the Parish of Leven in Holderness in the East Riding of the County of York to the Town of Beverley in the said County.

7 & 8 G. 4. c. lvi. An Act for repairing the Road from the High Bridge in Spalding to Tydd Goat in the County of Lincoln, and other Roads in the same County.

An

Turnpike Acts Continuance.

An Act for more effectually repairing the Road from Christopher's Bridge in the Borough of Thetford in the County of Suffolk to the North-east End of the Town of Newmarket in the County of Cambridge. 9 G. 4. c. li.

An Act for repairing the Road from Scole Bridge to Bury Saint Edmunds in the County of Suffolk. 9 G. 4. c. lxxv.

An Act for more effectually repairing, amending, widening, and improving the Road from the West Cowgate near Newcastle-upon-Tyne to the Alemouth Turnpike Road in the County of Northumberland, and for making and maintaining other Roads communicating therewith. 11 G. 4. c. xxxi.

An Act for repairing, amending, and maintaining the Road from Congleton in the County of Chester to a Branch of the Leek Turnpike Road at Thatchmarsh Bottom in the Parish of Hartington in the County of Derby, and from the Lowe to the Havannah Mills in the said County of Chester. 11 G. 4. c. xxxii.

An Act for more effectually repairing and improving the Roads from Lewes, through Offham, to Witch Cross; from the Cliffe near Lewes, through Uckfield, to Witch Cross; and from the said Cliffe, through Ringmer, Heathfield, and Burwash, to Hurst Green; all in the County of Sussex. 11 G. 4. c. lxxxii.

An Act for more effectually repairing and maintaining the Road between Hockliffe in the County of Bedford and Stony Stratford in the County of Buckingham. 11 G. 4. c. lxxxiii.

An Act for amending and improving the Road from Tonbridge to Ightham, and other Roads communicating therewith, in the County of Kent. 11 G. 4. c. xcix.

An Act for repairing and maintaining the Road leading from the High Road between Bromley and Farnborough in the County of Kent to Beggar's Bush in the Turnpike Road leading from Tonbridge Wells to Maresfield in the County of Sussex. 1 W. 4. c. xlv.

An Act for repairing the Road from the Bridge on the old River at Barton to Brandon Bridge in the County of Suffolk. 1 & 2 W. 4. c. xix.

An Act for more effectually repairing and improving the Road between the City of Durham and the Village of Shotley Bridge in the County of Durham. 1 & 2 W. 4. c. xxii.

An Act for better maintaining certain Roads within the County of Salop called the Shawbury District of Roads. 2 W. 4. c. lxxv.

An Act for more effectually repairing and maintaining the Road from Lanfabon to Pontymoil, and other Roads and Bridges therein mentioned, in the Counties of Glamorgan and Monmouth. 2 W. 4. c. lxxvii.

An Act for more effectually repairing and improving several Roads in the Counties of Cornwall and Devon, leading to the Borough of Saltash in the County of Cornwall, and for making a new Branch and Deviations of Roads to communicate therewith. 3 W. 4. c. v.

An Act for repairing the Roads from near Monk Bridge, near York, to New Malton, and from thence to Scarborough, and from Spittle House to Scarborough, all in the County of York. 3 W. 4. c. ix.

An Act for more effectually repairing and improving the Roads from Wendover to the End of Oak Lane, and from the River Colne for Half a Mile towards Beaconsfield, in the County of Bucks. 3 W. 4. c. xlv.

Turnpike Acts Continuance.

3 W. 4. c. xvii. An Act for making and maintaining a Road from Bishop's Waltham to join the Botley and Winchester Road at or near Fisher's Pond in the Parish of Owslebury in the County of Southampton.

3 W. 4. c. xxiv. An Act for repairing the Road from Bicester in the County of Oxford to Aylesbury in the County of Buckingham.

3 W. 4. c. xliv. An Act for more effectually repairing the Roads from Hodges to Beadles Hill and Cuckfield, and from Beadles Hill to Lindfield, all in the County of Sussex.

3 W. 4. c. lix. An Act for more effectually repairing the Road from the Canal Bridge in Hurdsfield in the County of Chester to the Turnpike Road at Randle Carr Lane Head in Fernilee in the County of Derby, leading to Chapel-in-le-Frith in the same County.

3 W. 4. c. lxxv. An Act for repairing and improving the Roads through Huntley from Gloucester towards Ross in the County of Hereford, and to and from Mitcheldean, and through Westbury-upon-Severn to Newnham and Littledean, in the County of Gloucester.

3 W. 4. c. lxxix. An Act to make and maintain a Turnpike Road from the Gateshead and Hexham Turnpike Road at or near to Axwell Park Gate on the River Derwent in the Township of Winlaton in the Parish of Ryton in the County of Durham to the Village of Shotley Bridge in the said County of Durham.

3 W. 4. c. lxxxii An Act for repairing the Road from Offham to Ditchelling in the County of Sussex.

3 W. 4. c. lxxxiv. An Act for more effectually repairing and improving the Road from Rochdale to Edenfield in the Parish of Bury, all in the County Palatine of Lancaster.

3 W. 4 c. xcii. An Act for more effectually repairing the Roads leading from Swindon to the Centre of Christian Malford Bridge, from Calne to Lyneham Green, and from the Direction Post in Long Leaze Lane near Lydiard Marsh to Cricklade in the County of Wilts.

3 W. 4. c. xciii. An Act for maintaining the Roads from the Town of Kingston-upon-Hull to the Town of Beverley in the East Riding of the County of York, and from Newland Bridge to the West End of the Town of Cottingham in the same Riding.

3 W. 4. c. xcix. An Act for improving the Shrewsbury District and the Wellington District of the Watling Street Road in the County of Salop.

4 W. 4. c. xi. An Act for making a Turnpike Road from Minsterley in the County of Salop to the Turnpike Road leading from Bishop's Castle in the said County of Salop to Churchstoke in the County of Montgomery.

4 & 5 W. 4. c. lxxiii An Act for more effectually repairing certain Roads from Kingsbridge to Dartmouth, and for making new Branches to and from the same, all in the County of Devon.

4 & 5 W. 4. c. lxxxix. An Act to continue, alter, and amend an Act of the Fourth Year of the Reign of His late Majesty King George the Fourth, for more effectually repairing and improving the Middlesex and Essex Turnpike Roads; to provide for the rebuilding of Bow Bridge in the Counties of Middlesex and Essex,

Essex, the improving of the several other Bridges upon the said Roads; and for other Purposes relating thereto.

An Act for more effectually repairing and improving the Road from Rochdale, through Bamford and Birtle, to Bury, and several other Roads therein mentioned, all in the County Palatine of Lancaster. 13 & 14 Vict. c. lxxxvii.

An Act for more effectually repairing the Road from the Town of Beaconsfield to the River Colne, all in the County of Buckingham. 15 Vict. c. xcvii.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

***

Provisional Orders in Schedule confirmed.

Proviso as to Rights of Board of Trade in Ramsgate Harbour, &c.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of like Force and Effect as if the Provisions of the same had been expressly enacted in this Act: Provided always, that nothing in this Act, or in the Order hereby confirmed, with relation to *Ramsgate*, shall be deemed or construed to extend to or affect *Ramsgate* Harbour or the Soil thereof, or any other Property transferred to and vested in the Board of Trade by the "Harbours and Passing Tolls, &c. Act, 1861;" and all Rights, Powers, and Privileges of the Board of Trade are hereby expressly reserved, save only that parochial and other local Rates shall still be payable on those Parts of the said Property within the District of *Ramsgate* in which they have heretofore been payable.

South Wales Highway Act (23&24 Vict. c. lxviii.) as to District of Llanelly repealed.

2. The Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty (23 & 24 *Vict.* Cap. 68.), intituled "The *South Wales* Highway Act," shall be repealed so far as it relates to the District of *Llanelly* in the County of *Carmarthen*, within which District the Local Government Act, 1858, is now in force. And whereas Doubts have arisen as to the Effect of the Provisional Order repealing the said Act within the District of *Aberavon* in the County of *Glamorgan:* It is hereby declared, That the said Act shall be deemed and taken to be repealed within the said District as if the Repeal thereof had been provided by express Enactment in the Act confirming the said Order.

Isle of Wight Roads, &c. Act (53 G. 3. c. xcii.) repealed as to District of Ventnor, East Cowes, Sandown, and Shanklin.

3. The Act passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act for amending the Roads and Highways in the* Isle of Wight, shall be repealed so far as it relates to the District of *Ventnor*, within which the Local Government Act, 1858, is now in force. And whereas Doubts have arisen as to the Effect of the Provisional Orders repealing the said *Isle of Wight* Highway Act within the Districts of *East Cowes*, *Sandown*, and *Shanklin:* It is hereby declared, That the said Act shall be deemed and taken to be repealed within the said Districts as if the Repeal thereof had been provided by express Enactment in the Acts confirming the said Orders.

The Oxford Local Board to be elected between the 9th and 24th of November annually.

4. The yearly Election of the Members of the Local Board for the District of *Oxford* under Section Eighty-two of "The Local Government Act, 1858," shall take place on such Day between the Ninth and Twenty-fourth Days of *November* in every Year, not being *Sunday*, as the Local Board from Time to Time at their ordinary Meeting in the Month of *October* in the respective Year

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Year determine; and the Members of the Local Board already and from Time to Time hereafter elected shall continue in Office until the Commencement of the Meeting of the Local Board next after the Day of the then next yearly Election of Members thereof, and thereupon the Members then elected shall come into Office: Provided that if and whenever the Local Board do not so fix any other Day for the yearly Election, then it shall take place on the Tenth Day of *November*, or, if that Day be *Sunday*, on the then next Day.

Ratepayers of each Parish in Oxford District to elect One Member in Vestry.

5. The Members of the *Oxford* Local Board to be elected by the Ratepayers of the Parishes within the District shall be elected One for every Parish by the Ratepayers of the respective Parish, and, except as is by this Act otherwise provided, shall be so elected by the Ratepayers in Vestry assembled.

Members of the University not required to make Declaration.

6. It shall not be obligatory on any of the Fifteen Members of the Local Board from Time to Time elected by the University of *Oxford* to make any Declaration of Qualification for the Office of Member of the Local Board.

The Local Board shall appoint Chairman.

7. The *Oxford* Local Board shall yearly, at their First Meeting in *November*, appoint One of their Number to be Chairman for One Year at all Meetings at which he is present; and in case the Chairman so appointed be absent from any Meeting at the Time appointed for holding the same, the Members present shall appoint One of their Number to act as Chairman thereat; and in case the Chairman appointed for the Year die, resign, or become incapable of acting, another Member shall be appointed to be Chairman for the Period during which the Person so dying, resigning, or becoming incapable would have been entitled to remain in Office, and no longer; and the Chairman at any Meeting shall have a Second or Casting Vote in case of an Equality of Votes.

All Public Buildings (except Churches) shall be assessable to the General District Rates.

8. All Public Buildings of the University and City of *Oxford*, and any Lands, Tenements, and Hereditaments within the *Oxford* District not now assessed or assessable to Rates for the Relief of the Poor, except all such as belong to or are held by the County, and except Churches and other public Places of Religious Worship, shall be assessable on a fair Valuation thereof by an equal Pound Rate to the General District Rates, to be from Time to Time made and levied by the Local Board.

Provisions in case of the Addi-

9. If and when any Part of the Parish of *Cowley* is added to the *Oxford* District, then and thenceforth the Number of Members of

tion to the District of a Part of Cowley Parish.

of the Local Board for the *Oxford* District shall be increased by One:

(*a.*) The *Cowley* Member shall from Time to Time be elected by the Owners and Ratepayers within that Part of the Parish of *Cowley*:

(*b.*) The First Election of the *Cowley* Member shall take place within Forty-two Days after the passing of this Act, on a Day which shall, within Fourteen Days after the passing of this Act, be appointed by the Chairman of the Local Board:

(*c.*) The *Cowley* Member so first elected shall continue in Office until the Commencement of the Meeting of the Local Board next after the Day of the yearly Election of Members of the Local Board in the Year One thousand eight hundred and sixty-six:

(*d.*) The yearly Election of the *Cowley* Member shall take place in the Year One thousand eight hundred and sixty-six, and in every subsequent Year on the Day for the yearly Election of other Members of the Local Board:

(*e.*) The Chairman of the Local Board shall be the Summoning Officer for the Purposes of every Election of the *Cowley* Member:

(*f.*) In all other respects the Provisions of every Act of Parliament from Time to Time in force with respect to the Members of the Local Board, and their Election and Continuance in Office and Retirement from Office, shall, so far as the same are applicable, extend and apply to the *Cowley* Member.

The Parish of Binsey how to be represented.

10. The Member of the *Oxford* Local Board now elected for the Parish of *Saint Thomas* shall henceforth be elected for that Parish and for the adjoining Parish of *Binsey* as if they were One Parish, and for the Purposes of the Election the Two Parishes shall be deemed to be One Parish:

(*a.*) For the Election the Ratepayers of the Parish of *Binsey* shall form Part of the Vestry of the Parish of *Saint Thomas*:

(*b.*) Notices of the Vestry Meetings of the Parish of *Saint Thomas* for the Election shall be given by the Summoning Officers of that Parish to the Ratepayers of the Parish of *Binsey* as if they were Ratepayers of the Parish of *Saint Thomas*.

Provisions in case of the Addi-

11. If and when any Part of the Parish of *North Hinksey* is added to the *Oxford* District, then the Member of the Local Board now

now elected for the adjoining Parish of *Saint Aldate* shall thenceforth be elected for that Parish and for that Part of the Parish of *North Hincksey* as if they were One Parish; and for the Purposes of the Election the Parish of *Saint Aldate* and that Part of the Parish of *North Hincksey* shall be deemed to be One Parish; for the Election the Ratepayers of that Part of the Parish of *North Hincksey* shall form Part of the Vestry of the Parish of *Saint Aldate*.

tion to the Oxford District of a Part of North Hincksey Parish.

12. For the Purposes of this Section, and with respect to each of the Parishes of *Cowley* and *Binsey* and *North Hincksey* respectively, the Overseers of the respective Parish shall, when the *Oxford* Local Board by Notice in Writing to them so require, produce to such Persons as the Local Board specify in the Notice, and permit them to inspect and transcribe, the Rate Books for the then current and then last Rates for the Relief of the Poor of the respective Parish, and shall afford to those Persons all proper and sufficient Facilities in that Behalf; and if whenever any Overseer of any of those Parishes in any way offends against this Provision, then every Person so offending shall for every such Offence forfeit and pay to the *Oxford* Local Board any Sum not exceeding Five Pounds.

Overseers of Cowley and Binsey and North Hincksey to produce Rate Books.

Penalty in default.

13. The Provisional Order relating to the *Oxford* District set forth in the Schedule to this Act annexed shall, in accordance with the Provisions of this Section, apply to the *Oxford* District and the Local Board for the *Oxford* District as that District and that Local Board respectively are from Time to Time constituted.

Provisional Order made applicable to the Oxford District, &c.

14. The *Oxford* Local Board, within Fourteen Days after their yearly Election, shall appoint for the current Year a Committee of their own Number to be the Assessment Committee, and shall determine their Number, Quorum, and Procedure, and shall, when requisite, supply Vacancies in their Number:

(*a.*) All Objections to the General District Rate shall be heard and considered by the Assessment Committee:

(*b.*) And if and when the Assessment to the Rate for the Relief of the Poor of all or any Part of the Property assessable to the General District Rate to be made and levied by the Local Board is in the Judgment of the Local Board an unfit Criterion for making a General District Rate, or there is no such Assessment, the net annual Value of the Property shall be ascertained by the Assessment Committee.

Assessment Committee to be appointed by the Local Board.

15. The Mayor and Recorder of the City of *Oxford*, and the Vice-Chancellor of the University of *Oxford*, instead of the Court of

The Mayor and Recorder of the City

and the Vice-Chancellor of the University of Oxford, to be a Court of Appeal for Objections to Assessments.

of Quarter Sessions, shall be the Court of Appeal for all Purposes of Appeals from Assessments and Rates of the Local Board:

(*a.*) Provided that during the Absence of the Recorder the Deputy Recorder, and during the Absence of the Vice-Chancellor One of the Pro Vice-Chancellors, to be appointed by the Vice-Chancellor by Writing under his Hand delivered to the Clerk to the Local Board, and during the Absence of the Mayor the Deputy Mayor of the City, shall act in the Place of and shall accordingly represent the Recorder, or, as the Case shall be, the Vice-Chancellor or the Mayor.

Persons dissatisfied with Assessment to Local Board, who shall refer the same to Assessment Committee.

16. When any Person liable to be rated to the General District Rate levied by the *Oxford* Local Board is dissatisfied with the Amount at which he or any other Person is assessed, he may give to the Local Board Notice in that Behalf, and the Matter shall be referred by the Board to the Assessment Committee, and shall be heard and considered by them, and the Objector and his Agent, if any, shall be entitled to appear and be heard before the Assessment Committee:

Appeal against the Assessment Committee's Decision.

(*a.*) If within Twenty-one Days next after the Delivery of the Notice to the Local Board the Assessment Committee do not alter the Assessment so as to remove the Objector's Ground of Complaint, he may give to the Local Board and also to the Court of Appeal Notice of his Intention to appeal against the Decision of the Assessment Committee:

(*b.*) At a Time and Place appointed by the Court of Appeal, which, if not the Time for holding the Quarter Sessions for the City, shall be not less than Fourteen Days after the Delivery of that Notice, the Court shall meet and hear the Appeal, giving to the Local Board and the Appellant at least Seven clear Days Notice of the Time and Place of Meeting:

Notices how to be given.

(*c.*) The Notices shall be in Writing, and the First Notice to the Local Board shall state the Objections and the Grounds thereof, and the Second Notice to the Local Board, and the Notice to the Court of Appeal, shall state such of the Objections as are not removed and the Grounds thereof, and shall not state any Objection or Ground of Objection which was not stated in the First Notice:

Notices how to be served.

(*d.*) The Notices shall be served on the Local Board and the Court of Appeal respectively by being delivered for them respectively to the Clerk to the Local Board, and the Notices to the Appellant shall be served on him personally, or by leaving the same at his Place of Abode or Business.

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17. The Court of Appeal may and shall hear and consider the Appeal, and, as they think fit, may either confirm or quash or alter the Decision of the Assessment Committee, and may determine the Costs of the Appeal, and by whom the same shall be paid, and may make such Orders in the Premises as they think fit; and every Order so made by them shall be binding on all Parties interested, and, where requisite, the Assessment shall be altered accordingly.

Proceedings of Court of Appeal.

18. The Court of Appeal shall meet at the Times for holding the Quarter Sessions for the City of *Oxford*, or at such other Times, and at such Places, and on such Notice, and shall conduct their Proceedings in such Manner, as they think best adapted for carrying into effect these Provisions, and shall have full Jurisdiction, Power, and Authority for the Purposes of their Appointment as if they were a Court of Quarter Sessions.

As to the Time of holding the Court of Appeal and conducting Proceedings.

19. The Expenses of the Assessment Committee and of the Court of Appeal shall be paid by the *Oxford* Local Board, and the Clerk to the said Local Board shall be the Clerk to the Court of Appeal.

Expenses of Assessment Committee and of Court of Appeal.

20. With respect to the General District Rate from Time to Time made and levied by the *Oxford* Local Board:

Who to be rated to the General District Rates of the Oxford Local Board.

(*a.*) All rateable Property belonging to the Chancellor, Masters, and Scholars of the University shall be rated in the Name of the Vice-Chancellor of the University:

(*b.*) All rateable Property belonging to the Mayor, Aldermen, and Citizens of *Oxford* shall be rated in the Name of the Mayor of the City:

(*c.*) All rateable Property belonging to the Dean and Chapter of *Christ Church* and to the other Colleges and the Halls in the University shall respectively be rated in the Names of the Treasurer of *Christ Church*, and of the Senior Bursar or Treasurer of the several other Colleges, and of the Principals of the several Halls respectively:

(*d.*) All rateable Property belonging to Feoffees or Trustees of Charities or Public Buildings shall respectively be rated in the Names of the Feoffees and Trustees respectively.

21. The General District Rate from Time to Time made by the *Oxford* Local Board, and payable by the University and *Christ Church* and the other Colleges and the Halls respectively, shall be collected and paid to the Local Board by the Vice-Chancellor; provided that this Arrangement may at any Time be determined by Notice in Writing in that Behalf given by the Vice-Chancellor to the Local Board, or by the Local Board to the Vice-Chancellor, and

Rates on the University and Colleges and Halls of Oxford to be collected and paid by the Vice-Chancellor.

Power to determine that Arrangement.

and if Notice be so given, and be not withdrawn within Twelve Months after the Service thereof, then from and after the Expiration of that Period the General District Rate payable by the University and *Christ Church*, and the several other Colleges and the Halls respectively, shall be collected by the Local Board.

The Public Library in the City of Oxford vested in the Local Board.

22. From and after the Expiration of Three Months next after the passing of this Act the Custody, Care, and Management of the Public Library in the City of *Oxford* shall be vested in the Local Board, in accordance with the Provisions in that Behalf of the Acts from Time to Time in force with respect to Public Libraries managed by Local Boards for the Purpose of their Districts; and all the Expenses of and incident to the Custody, Care, and Management thereof, and the adding to and maintaining of the same, shall from Time to Time be paid by the Local Board out of Monies raised by the General District Rate as if "The Public Libraries Act, 1855," had been duly adopted for the whole of the *Oxford* District as from Time to Time constituted, and the Public Library had been established thereunder; and if after discharging all Debts and Liabilities, if any, relating thereto, there be any Balance of the Monies, before the Expiration of the Three Months, assessed for the Purposes thereof, the Balance shall be paid to the Local Board, and be carried to their General District Fund; provided that the Amount expended by the Local Board in any One Year for the Purposes of the Public Library shall not exceed the Amount which might be raised by them by a Rate for the Purpose made under that Act.

Limit of the Amount to be raised for the Public Library.

Act incorporated with 21 & 22 Vict. c. 98.

23. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

24. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865 (No. 5)."

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. NOTTINGHAM.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board, otherwise than by Agreement, for Street Improvements.

2. RUSHOLME.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health, otherwise than by Agreement, for Street Improvements.

3. PLYMOUTH.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health, otherwise than by Agreement, for Street Improvements.

4. REDCAR.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health, otherwise than by Agreement, for Street Improvements.

5. CARDIFF.—Putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board of Health, for the Purchase and taking of Lands, otherwise than by Agreement, for Street Improvements.

6. KINGSTON-UPON-HULL.—Altering the Kingston-upon-Hull Improvement Act, 1854, in force within the Borough.

7. GUILDFORD.—Repealing a Local Act in force within the District of the Local Board.

8. RAMSGATE.—Alteration of Ramsgate Improvement Act, 1838.

9. RYDE.—Extending the Borrowing Powers of the Ryde Commissioners acting as Local Board within the District.

10. WORKINGTON.—Extending the Borrowing Powers of the Workington Local Board.

11. OXFORD.—Repealing and altering Parts of Local Acts in force within the District of the Oxford Local Board.

12. HINCKSEY (Oxford District).—Altering the Boundaries of the District of Oxford, under the Local Government Act, 1858.

13. COWLEY (Oxford District).—Altering the Boundaries of the District of Oxford, under the Local Government Act, 1858.

NOTTINGHAM.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board for the Borough of Nottingham, for the Purchase and taking of Lands by the said Board, otherwise than by Agreement.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Nottingham, being the Local Board in and for the District of the said Borough, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land, buildings, and premises, for the purpose of enabling them to widen, alter, and improve certain streets or roads within such Borough.

AND WHEREAS the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings and premises intended to be taken by such Local Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid lands, buildings, and premises who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such Petition prayed that the said Board might, with reference to such lands, buildings, and premises, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

The Mayor, Aldermen, and Burgesses of the Borough of Nottingham, being the Local Board for the said Borough, shall be empowered to put in force, with reference to the messuages or tenements, buildings, lands, hereditaments, and premises referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this First day of May, in the year One thousand eight hundred and sixty-five

(Signed) G GREY.

The SCHEDULE referred to in the foregoing Order.

The LANDS, HOUSES, BUILDINGS, HEREDITAMENTS, and PREMISES proposed to be taken for the purposes set forth in the preceding ORDER, and which are situate in the Borough of NOTTINGHAM, are the following, the Figures in the Second Column referring to those on the Plan of the said HEREDITAMENTS and PREMISES deposited at the Office of the Surveyor of the said Local Board, St. Peter's Church Side, Nottingham, in the month of November 1864, and mentioned in the Petition of the aforesaid Local Board herein-before referred to.

Messuages, Buildings, Lands, Hereditaments, and Premises proposed to be taken	No. on the said Plan.	Owners or reputed Owners.	Occupiers.
House, Shop, Stable, Coach-house, Outbuildings, Yard, and Premises in or near the Long Row and Sheep Lane.	1 and 5	Mary Ann Page -	Jonathan Page (Lessee and Occupier).
A Share in and Rights of Way and other Rights in and over Common Yards, Passages, and Premises in and near the Long Row and Sheep Lane.	71, 72, 72, 72 *a*, 72 *b*, and 5 *a*.	The same - -	The same.
Houses and Premises in or near Talbot Yard and Sheep Lane.	25, 26, 27, and 28.	John Cragg, Mary Ann Cragg, Elizabeth Milnes, and William Adams Dams Nunn.	Joseph Disney, William Smith, Henry Clarke, and John Shelton.
Houses and Premises in or near Sheep Lane.	73 and 74	William Stanford Burnside.	The Pleasley Mill Company (Lessees), Thomas Griffitt and Ellen Holmes (Occupiers).
Houses and Premises near Sheep Lane.	79, 80, and 81.	John Swann - -	James Barker and Elizabeth Whitehead.
Common Passage and Premises near Sheep Lane.	82 and 82	The same - -	James Barker, Elizabeth Whitehead, Sarah Newman, Ransom Holland, William Booth, William Stevenson, Hannah Haywood, Thomas Holmes, George Deadney, Robert Clarke, and John Harris.
House, Shop, Warehouse, Outbuildings, and Premises in and near the Long Row and Sheep Lane.	110, 93, and 99.	Henry Ashwell and John Scott Wells.	George Spybey.
A Share in or certain Rights of Way and other Rights in and over Common Yards, Passages, and Premises in and near the Long Row and Sheep Lane.	109, 89, 95, 102, 112, and 113,	The same - -	The same.
Tenement or Warehouse and Premises near Long Row and Sheep Lane.	88	Richard Bush Newton	Robert Dickinson and Edward Dickinson (Lessees and Occupiers).

Local Government Supplemental (No. 5.)

RUSHOLME.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Rusholme in the County of Lancaster, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Works of Street Improvement.*

WHEREAS the Local Board of Health for the District of Rusholme in the County of Lancaster have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement as described therein.

AND WHEREAS the said Petition and the Schedule appended thereto duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Rawlinson, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

The said Local Board of Health for the District of Rusholme in the County of Lancaster aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Third day of April, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULES referred to in the preceding Order.

LANDS and BUILDINGS, containing 385 Square Yards and 7 Square Yards, intended to be taken for widening, opening, enlarging, or otherwise improving the Turnpike Road leading from Manchester to Stockport.

No. on Plan	Land and Buildings proposed to be taken.	Owners or reputed Owners	Lessees or reputed Lessees.	Occupiers.
		As to the 385 Yards.		
1	Part of Pasture Field	The Reverend George Henry Greville Anson, Rector of St. James, Birch, Rusholme.	- - -	Elizabeth Hardy, Spinster, Longsight.
2	Front Garden and Approach to back Yard.	Sir John William Hamilton Anson, Bart., Portland Place, London.	Robert George Stracy, Tatton Grove, Withington.	James Kelly, 1, St. John's Place, Longsight.
3	Boot and Shoemaker's shop.	Sir J. W. H. Anson, Bart.	Robert George Stracy	James Kelly, 1, St. John's Place, Longsight.
4	Front Garden -	Sir J. W. H. Anson, Bart.	Robert George Stracy	James Kelly, 2, St. John's Place, Longsight.
5	Front Garden -	Sir J. W. H. Anson, Bart.	Robert George Stracy	Jane Batty, Widow, 2, St. John's Place, Longsight.
6	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	Fanny Seward, Spinster, 3, St. John's Place, Longsight.
7	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	George Whitmore, 4, St. John's Place, Longsight.
8	Approach to Back Yard.	Sir John William Hamilton Anson, Bart.	- - -	William Draper, St. John's Cottages, Longsight.
9	Part of Garden -	Sir John Wm. Hamilton Anson, Bart.	- - -	William Draper, St. John's Cottages, Longsight.
10	Part of Front Garden	Sir J. W. H. Anson, Bart.	- - -	Sarah Rothwell, St. John's Cottages, Longsight.
11	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	Mary Siebar, 1, St. John's Terrace, Longsight.
12	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	William Crabtree, 2, St. John's Terrace, Longsight.
13	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	William Whittenbury, 3, St. John's Terrace, Longsight.
14	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	James Worsley, 4, St. John's Terrace, Longsight.
15	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	Luke Poynton, Longsight.

No. on Plan	Land and Buildings proposed to be taken.	Owners or reputed Owners	Lessees or reputed Lessees.	Occupiers.
		As to the 7 Square Yards.		
16	Steps leading to Dwelling House.	Mary Bentley, Spinster, Fairfield.	- - -	Elizabeth Lownds, Longsight.
17	Steps leading to Provision Shop.	Mary Bentley, Spinster, Fairfield.	- - -	Ralph Horsfield, Longsight.
18	Steps leading to Dwelling House.	Mary Bentley, Spinster, Fairfield.	- - -	James Hopwood, Gate Keeper, Longsight.
19	Steps leading to Dwelling House.	Mary Bentley, Spinster, Fairfield.	- - -	David Chadwick, opposite Coach and Horses, Longsight.
20	Steps leading to Dwelling House.	Mary Aldrid, Heaton Moor, Heaton Norris.	- - -	Sarah Burrows, Widow, opposite Coach and Horses Inn, Longsight.
21	Steps leading to Dwelling House	Mary Aldrid, Heaton Moor, Heaton Norris.	- - -	Thomas Farnworth, near North Street, Longsight.

LAND and BUILDINGS, containing 228 Square Yards, 18 Square Yards, 47 Square Yards, 187 Square Yards, 615 Square Yards, 628 Square Yards, 330 Square Yards, and 98 Square Yards, intended to be taken for widening, opening, enlarging, or otherwise improving Dickenson Road.

		As to the 228 Yards.		
22	Part of Front Garden	Sir John William Hamilton Anson, Bart.	- - -	Sarah Fletcher, Widow, Longsight.
23	Part of Dwelling House, Scullery, Yard, and Approach to Yard.	Sir John William Hamilton Anson, Baronet.	- - -	Sarah Fletcher, Widow, Dickinson Road, Longsight.
		As to the 18 Yards.		
24	Part of Shed used as Stable.	Mary Aldrid Heaton Moor, Heaton Norris.	- - -	William Coates, Longsight.
25	Part of Dwelling House, Steps, and Cellar.	Mary Aldrid, Heaton Moor, Heaton Norris.	- - -	Henry Mills, Dickenson Road, Longsight. ——— Mallany, Marble Worker, late of Brook Street.
26	Waste Land open to Dickenson Road.	Mary Aldrid, Heaton Moor, Heaton Norris.	- - -	Henry Mills, Margaret Ryan, Edward Pawson, John Law, George Hardy, —— Mallany, all of Dickenson Road, Longsight.
27	Occupation Road -	Mary Aldrid Spinster, Heaton Moor, Heaton Norris.	- - -	Margaret Ryan, Edward Pawson, John Law, George Hardy.
28	Part of Pasture Field	Sir John William Hamilton Anson Baronet, London.	- - -	Sarah Fletcher, Widow, Dickenson Road, Longsight.

Local Government Supplemental (No. 5.)

No. on Plan	Land and Buildings proposed to be taken	Owners or reputed Owners.	Lessees or reputed Lessees	Occupiers.
		As to the 47 Yards.		
29	Pasture Land or Field.	——— Rhodes -	- - -	In hand.
		As to the 187 Yards.		
30	Pasture Field or Building Land.	——— Rhodes -	- - -	In hand.
31	Part of Front Garden	Samuel Chorlton, Chapel Street, Didsbury.	- - -	Reverend James Twist, Dickinson Road.
32	Part of Front Garden	Samuel Chorlton, Chapel Street, Didsbury.	- - -	Unoccupied.
		As to the 330 Yards.		
33	Part of Pasture Field	Sir John William Hamilton Anson, Bart.	Robert Greg -	Robert Greg, Birch Cottage, Dickenson Road.
34	Part of Garden and Approach to Dwelling House called Birch Cottage.	Sir John William Hamilton Anson, Bart.	Robert Greg -	Robert Greg, Birch Cottage, Dickenson Road.
35	Part of Front Garden	Charles Dove -	Sarah Ann Heap (Mortgagee).	Elizabeth Lambert (Widow), 4, St. James' View, Dickinson Road.
36	Part of Front Garden	Charles Dove -	Sarah Ann Heap (Mortgagee). .	James Paley, 3, St. James' View, Dickinson Road.
37	Part of Front Garden	Charles Dove -	Sarah Ann Heap (Mortgagee).	David Noar, 2, St. James' View, Dickenson Road.
38	Part of Front Garden and Approach to Dwelling House.	Charles Dove -	Sarah Ann Heap (Mortgagee).	John Railton, 1, St. James' View, Dickenson Road.
		As to the 615 Yards.		
39	Part of Pasture Field	Trustees of the late Charles Carill Worsley, viz., Mary Jane Carill Worsley and Henry Evans, Darly Abbey.	- - -	Amos Smathers, Uncle Tom's Cabin, Monmouth Street, Rusholme.
40	Cow Sheds and Approach.	Trustees of the late Charles Carill Worsley, viz., Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Ann Sharples, sublet to William Tomkins, 7, Dickenson Road.
41	Part of Pasture Field and Footpath.	Mary Jane Carill Worsley and Henry Evans, Darly Abbey.	- - -	Ann Sharples, Sublet to William Tomkins, 7, Dickenson Road.
42	Stone Yard and Workrooms.	Rusholme Local Board of Health.	- - -	Rusholme Local Board of Health.
43	Part of Front Garden	John Vint, Leeds -	- - -	Alice Thomasson, Widow, 6, Pelham Place, Dickenson Road.

Local Government Supplemental (No. 5.)

No. on Plan.	Land and Buildings proposed to be taken	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		As to the 98 *Yards.*		
44	Part of Front Garden	John Vint, Leeds -	- - -	Thomas Rathbone, 5, Pelham Place, Dickenson Road.
45	Part of Front Garden	John Vint, Leeds -	- - -	James Richardson, 4, Pelham Place, Dickenson Road.
46	Part of Front Garden	John Vint, Leeds -	- - -	Elizabeth Tinker (Widow), 3, Pelham Place.
47	Part of Front Garden	John Vint, Leeds -	- - -	James Udall, 2, Pelham Place, Dickenson Road.
48	Part of Front Garden	John Vint, Leeds -	- - -	Sarah Skippers, 1, Pelham Place, Dickenson Road.
49	Building Land open to Dickenson Road.	Samuel Potter Cheetham Hill, 25, Walmer Street.	- - -	George Wynne, 33, Rusholme Grove.
		As to the 628 *Yards.*		
50	Building Land open to Dickenson Road.	Rusholme Local Board of Health.	- - -	Rusholme Local Board of Health.
51	Part of Pasture Field	The Trustees of Mrs. Cunliffe, viz. Frank Hampson, Solicitor, Sharston Mount, Northenden, and John Cunliffe, Blackburn.	- - -	John Edward Taylor, Platt Cottage, Rusholme.
52	Part of Pasture Field	The Trustees of Mrs. Cunliffe, viz. Frank Hampson, Solicitor, Sharston Mount, Northenden, and John Cunliffe, Blackburn.	- - -	John Edward Taylor, Platt Cottage, Rusholme.
53	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	Mary Sharples (Widow), 15, Dickenson Road, Rusholme.
54	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	Francis Thomas, 13, Dickinson Road, Rusholme.
55	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	Thomas Shepherd, 11, Dickenson Road, Rusholme.
56	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	William Kellam, 9, Dickenson Road. Rusholme.
57	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	William Tomkins, 7, Dickenson Road, Rusholme.
58	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	Thomas Mottram, 5, Dickenson Road, Rusholme.

Local Government Supplemental (No. 5.)

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
59	Provision Shop and Bakehouse.	Ann Corns, Oak House, Sale Moor.	- - -	Joseph Axon, 3, Dickenson Road, Rusholme.
60	Common Yard -	Ann Corns, Oak House, Sale Moor.	- - -	Joseph Axon. George Hindley, Dickenson Court.
61	Part of Dwelling House, Yard, and Scullery.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	William Clarke, Builder, 1, Dickenson Road, Rusholme.
62	Joiner's and Builder's Shop.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	William Clarke, Builder, 1, Dickenson Road, Rusholme.
63	Stables, Coach House, and Passage, leading to Public House called Birch Villa Hotel.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	William Roberts, Greenhey's Brewery (14 years from March 1864).	William Saynor, Birch Villa Hotel, Rusholme.

LAND and BUILDINGS, containing 124 Square Yards, 110 Square Yards, 20 Square Yards, 794 Square Yards, and 80 Square Yards, intended to be taken for widening, opening, enlarging, or otherwise improving the Highway from Manchester to Wilmslow.

As to the 124 *Yards.*

64	Part of Shrubbery and Carriage Drive.	The Trustees of Sophia Jane Ferguson; Thomas Holford, Acting Trustee.	- -	Thomas Cooke, Rusholme Hall. Sophia Allecock, Rusholme Place.
65	Part of Shrubbery and Approach to Dwelling House.	The Trustees of Sophia Jane Ferguson; Thomas Holford, Acting Trustee.	- - -	Elizabeth Ann Price, Spinster, Rusholme Place.

As to the 110 *Yards.*

66	Butcher's Shop -	Charles Butler, Butcher, Rusholme.	- - -	Charles Butler, Butcher, Rusholme.
67	Milliner's Shop -	Charles Butler, Butcher, Rusholme.	- - -	Rebecca Toon, Spinster, Butler's Buildings, Rusholme.
68	Boot and Shoemaker's Shop.	Charles Butler, Butcher, Rusholme.	- - -	William Renshaw, opposite Marlborough Terrace, Rusholme.
69	Grocer and Provision Shop.	Charles Butler, Butcher, Rusholme.	- - -	William Renshaw, opposite Marlborough Terrace, Rusholme.
70	Smallware and Tobacconist Shop.	Charles Butler, Butcher, Rusholme.	- - -	Ann Chadwick, Widow, opposite Marlborough Terrace, Rusholme.

As to the 80 *Yards.*

75	Approach to Farm Buildings, Land, and Part of Front Garden.	Trustees of late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darly Abbey.	- - -	Richard Broome, Farmer, Fallowfield.

Local Government Supplemental (No. 5.)

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
76	Part of Garden -	Trustees of late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darly Abbey.	- - -	John Henry Monk, Ivy Cottage, Fallowfield.
		As to the 794 Yards.		
77	Part of Coppice -	Elizabeth Jane Lucas, Fallowfield Brow.	- - -	Nicholas Earle, Mabfield House, Fallowfield.
78	Part of Pasture Field	Elizabeth Jane Lucas, Fallowfield Brow.	- - -	Nicholas Earle, Mabfield House, Fallowfield.
79	Plantation - -	Elizabeth Jane Lucas, Fallowfield Brow.	- - -	Nicholas Earle, Mabfield House, Fallowfield.
80	Part of Pasture Field	The Hon. Algernon Egerton.	- - -	Samuel Brundred, Farmer, Fallowfield.
80a	Highway - -	Mary Jane Carill Worsley & Henry Evans of Darly Abbey, Trustees of the late Charles Carill Worsley.	- - -	Samuel Brundrett, Farmer, Fallowfield. Daniel Douglas, 205, Warde Street, Hulme.
81	Dwelling House and Steps.	Isaac Thornley, Crown Inn, Fountain Street, Manchester.	- - -	Samuel Roberts, Labourer, Fallowfield.
82	Dwelling House and Steps.	Isaac Thornley, Crown Inn, Fountain Street, Manchester.	- - -	William Vickers, Warehouseman, Fallowfield.
83	Dwelling House and Steps.	Isaac Thornley, Crown Inn, Fountain Street, Manchester.	- - -	Ruth Hamblet, Widow, Fallowfield.
84	Part of Steps and Footpath.	Isaac Thornley, Crown Inn, Fountain Street, Manchester.	- - -	William Hague, Gardener, Fallowfield.
85	Footpath - -	Isaac Thornley, Crown Inn, Fountain Street, Manchester.	- - -	John Jones, Plumber, Post Office Place, Rusholme.
		As to the 20 Yards.		
86	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Charles Hardesty, Labourer, Fallowfield.
87	Part of Front Garden and Pump.	Trustees of the late C. Carill Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	John Longshaw, Labourer, Fallowfield.

Local Government Supplemental (No. 5.)

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
88	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	James Bradshaw, Labourer, Fallowfield.
89	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	John Meller, 7, Fallowfield, opposite Post Office.
90	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Joseph Hill, Carter, Fallowfield.
91	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Thomas Grimshaw, Labourer, Fallowfield.
92	Footpath and Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Phœbe Ashton, Widow, Fallowfield. Samuel Vernon, Gardener, Fallowfield.
93	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	John Hague, Gardener, Fallowfield.

LAND and BUILDINGS, containing 1,458 Square Yards, intended to be taken for widening, opening, enlarging, or otherwise improving Monmouth Street.

94	Ironmonger's Shop -	Ralph Bailey, 8, Wellington Place, Bowden Downs.	- - -	Thomas Whitehead, Ironmonger, Rusholme.
95	Pawnbroker's Shop -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead and Martha his Daughter, Pawnbrokers, Rusholme.
96	Yard leading to Smith's Shop.	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead, Ironmonger, Rusholme.
97	Smith's Shop - -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead, Ironmonger, Rusholme.
98	Common Yard -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead, Ironmonger, Rusholme. Ellis Crompton, Greengrocer, Rusholme.
99	Timber Yard - -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	James Tipping, Joiner and Builder, Monmouth Street, Rusholme.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
100	Common Yard, Pump, and Mortar Store.	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Abraham Woodhead, Brick Setter, Monmouth Street. George Bonsall, Packer, Monmouth Street.
101	Dwelling House -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	George Bonsall, Packer, Monmouth Street.
102	Yard or Passage -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	George Cooper, Warehouseman, Monmouth Street. James Isherwood, Monmouth Street.
103	Dwelling House -	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	George Booth, Cab Driver, Monmouth Street.
104	Dwelling House -	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	John Rippingham, Mechanical Chimney Sweeper, Monmouth Street.
105	Shed used as Boot and Shoemaker's Shop, and part of Garden.	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Charles Wood, Boot and Shoemaker, Monmouth Street.
106	Building Land open to Monmouth Street.	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	In hand.
107	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	George Barton, Monmouth Street.
108	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Eliza Bolsover (Widow), Monmouth Street.
109	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	James Ward, Monmouth Street.
110	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Lucy North (Widow), Monmouth Street. Mary Marsland, Monmouth Street.
111	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Catherine Kelly (Widow), Monmouth Street.
112	Building Land open to Monmouth Street.	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	In hand.

Local Government Supplemental (No. 5.)

No. on Plan	Land and Buildings proposed to be taken	Owners or reputed Owners.	Lessees or reputed Lessees	Occupiers.
113	Part of Front Garden	Executor of the late Thomas Anderson; Thomas Mee.	- - -	Thomas Alcock, Greengrocer, Monmouth Street.
114	Part of Front Garden	Executor of the late Thomas Anderson; Thomas Mee.	- - -	John Phythian, Smith, Monmouth Street.
115	Part of Front Garden	Executor of the late Thomas Anderson; Thomas Mee.	- - -	Joseph Fieldsend, Boot and Shoemaker, Monmouth Street.
116	Part of Front Garden	Executor of the late Thomas Anderson; Thomas Mee.	- - -	Wright Antrobus, Monmouth Street.
117	Part of Front Garden	Executor of the late Thomas Anderson.	- - -	James Chesworth.
118	Pasture Field - -	Rev. John Jones Dickson, Hindley, near Wigan.	Julius Knoop, Regent House, Rusholme, Term	Julius Knoop, Regent House, Rusholme.
119	Pasture Field - -	Rev. John Jones Dickson, Hindley, near Wigan.	Julius Knoop, Regent House, Rusholme.	Julius Knoop, Regent House, Rusholme.
120	Garden - -	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee for a Term of 10 Years; 8½ Years to run.	John Bier, The Grange, Rusholme.
121	Hen Pen - -	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, for a Term of 10 Years; 8½ Years to run.	John Bier, The Grange, Rusholme.
122	Shed or Stores -	Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Abraham Woodhead, Brick Setter, Monmouth Street.
123	Coach House and Stables.	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, Term 10 Years; 8½ Years to run.	John Bier, The Grange, Rusholme.
124	Privy and Ashpit -	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, Term 10 Years; 8½ Years to run.	John Bier, The Grange, Rusholme.
125	Tool House or Stores	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, Term 10 Years; 8½ Years to run.	John Bier, The Grange, Rusholme.
126	Part of Dwelling House and Yard.	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, Term 10 Years; 8½ to run.	John Bier, The Grange, Rusholme.
127	Garden and Wall -	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, 10 Years Lease; 8½ to run.	John Bier, The Grange, Rusholme.

Local Government Supplemental (No. 5.)

PLYMOUTH

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Plymouth in the County of Devon, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Purposes of Street Improvement.*

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Plymouth in the County of Devon, acting as the Local Board of Health for that District, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings to enable them to carry out works of street improvement within their District.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

The said Local Board of Health for the District of Plymouth aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement

Given under my hand this First day of April, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order, and shown upon the Plan accompanying the Local Board's Petition, are the following:

No. on Plan.	Description of Property proposed to be taken	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees	Occupiers.
1	Dwelling House, Shop, Workshops, and Courtlage, No. 1, Westwell Street.	William Curtis, Trustee.	- - - -	William Parks Ivey, John Holloway, junior.
2	Dwelling House, Garden, and Path, No. 2, Westwell Street.	William Curtis, Trustee.	- - - -	Mary Elliott.
3	Dwelling House, Yard, Outhouses, Garden, and Path, known as "Westwell House" in Westwell Street.	William Curtis, Trustee.	- - - -	George Hamlyn, Henry Symons, John Shepheard.
4	Dwelling House, Tenements, Outhouses, Yards, and Offices, No. 6, Basket Street.	Robert Mather Watson, Trustee.	- - - -	Samuel Harris.
5	Dwelling House, Yards, Courtlages, and Offices, No. 7, Basket Street.	William Grendon Heathman.	- - - -	Samuel Cawse Parkhouse, Jane Gover.
6	Dwelling House, Yards, Workshops, and Outhouses, No. 9, Basket Street.	Sarah Lane -	George Marks -	John Reed, John Symons, James Dunbar, William Hambly, Jane Nicholls, and Elizabeth Morland.
7	Dwelling House, Shop, Courtlage, and Offices in Bedford Street.	Henry Matthews -	- - - -	Henry Matthews.
8	Ditto - -	Henry Matthews -	Thomas Smale -	Thomas Smale.
9	Dwelling Houses, Shops, Outhouses, and Courtlage known as the "Island House" in Bedford Street.	Ralph Cole -	Joseph Allen, George Creed.	Joseph Allen, Charles Pascoe, and Thomas Reeves.
10	The Coach Office, Inn, Public House, Courtlage, and Offices, No. 3, Briton Side.	William Palmer -	- - - -	Elisha Horswell.
11	Dwelling House, Shop, Outhouse, and Courtlage, No. 4, Briton Side.	Paul William Swain, Trustee.	- - - -	Jane Readin.

Local Government Supplemental (No. 5.)

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
12	Dwelling House, Shop, Bakehouse, Courtlage, Outhouses, and Passage, No. 5, Briton Side.	Paul William Swain, Trustee.	- - - -	Samuel Farley.
13	Dwelling House, Shop, Courtlage, Offices, and Passage No 6, Briton Side.	Paul William Swain, Trustee.	Joseph Joseph -	Joseph Joseph, the Free Congregational Church, and John Gay.
14	Dwelling House, Shop, Passage, Courtlage, and Outhouses, No. 7, Briton Side.	Paul William Swain, Trustee.	- - - -	Stephen Augustine Delor, Joseph Paige.
15	Dwelling House, Shop, Courtlage, and Outhouses, No. 8, Briton Side.	Paul William Swain, Trustee.	Simon Philp -	Simon Philp.
16	Two Dwelling Houses, Shops, Bakehouse, Courtlages, and Outhouses, No. 9, Briton Side.	Jane Skardon -	- - - -	Edwin Henry Debnam, John Edward Hingston.
17	Dwelling Houses, Outhouses, Courtlage, and Yard, Nos. 3, 4, and 4½, Tin Street.	The Devisees of the Will of William Hellyer, deceased.	- - - -	James Lee.
18	Dwelling House, Shop, Outhouses, and Courtlage, No. 5, Tin Street.	Edward Smith -	- - - -	Edward Smith, junior.
19	"The Woodside Inn" Public House, Tenement, Courtlage, and Offices in Gasking Street, at the Corner of Gascoyne Place.	Edward Smith -	James Rew - -	William Henry Rundle.
20	Front Bar Portion of "The Swan of Avon" Inn, George Street.	William Furze -	John Robert Lugg -	John Robert Lugg.
21	Dwelling House, Shop, Passage, Outhouses, and Courtlage, No. 20, Old Town Street.	Roger Bishop -	- - - -	Richard Colwill.
22	Dwelling House, Shop, Outhouses, Passage, and Courtlage, No. 21, Old Town Street.	Paul William Swain, Trustee.	- - - -	John Cross.
23	Dwelling House, Shop, Loft, Passage, Outhouses, and Courtlage, No. 22, Old Town Street.	Paul William Swain, Trustee.	John Yabsley -	Henry May, Richard Tremeer, William Gibbons, Alice Sarah Izdebski.
24	Dwelling House, Shop, Lofts, Workshops, Outhouses, and Courtlage, No. 23, Old Town Street.	Rebecca Langmead	John Dyer - -	John Dyer.

Local Government Supplemental (No. 5.)

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
25	"The Cornish Inn" Public House, Yards, Stables, Outhouses, Courtlage, and Offices, No. 24, Old Town Street.	Sarah Butters and William Curtis, Trustees.	- - - -	John Gribble.
26	Dwelling House, Shop, and Courtlage, No. 25, Old Town Street.	Sarah Butters and William Curtis, Trustees.	- - - -	Herbert Morris.
27	Dwelling House, Smithy, Outhouses, Courtlage, and Offices, No. 26, Old Town Street.	Abraham Cole, Trustee, William Ball.	- - - -	William Ball.
28	Dwelling House, Shop, Store, Passage, Outhouses, and Courtlage, No. 27, Old Town Street.	Abraham Cole, Trustee.	James Armstrong, William Armstrong, and Samuel Walter Rowse.	John Windeatt, James Armstrong, William Armstrong, and Samuel Walter Rowse.
29	Dwelling House, Three Shops, Passage, Courtlage, and Outbuildings, No. 1, Russell Street.	John Hicks -	- - - -	Joseph Hundrey, Richard Bennett.
30	Dwelling House, Shop, Courtlage, and Outbuildings, No. 42, Frankfort Street.	John Hall Parlby -	William Brooks Bartlett.	William Brooks Bartlett.
31	Dwelling House, Shop, Courtlage, and Outbuildings, No. 43, Frankfort Street.	Samuel Foster -	Elizabeth Cook, William Cook.	Elizabeth Cook, William Cook.
32	The "Queen's Head" Beershop, Courtlage, and Outbuildings, No. 45, Frankfort Street.	George Ryall -	- - - -	Thomas Charlick.
33	Dwelling House, Two Shops, and Courtlage, No. 46, Frankfort Street.	John Hicks -	- - - -	John Woolland.
34	The "First of August" Beershop, Tenement, Garden, Outhouses, and Courtlage, No. 20, King Street.	Elizabeth Roberts -	Edmund Every, Anthony Luke.	William Kennedy, Frederick Roberts.
35	Dwelling House, Shop, Tenement, Outhouses, and Courtlage, No. 21, King Street.	Devisees of the Will of William Smale.	- - - -	Humphrey Badge.
36	Portion of Garden in front of No. 24, Clarendon Place.	John Bayly, James May.	- - - -	Jemima Dabb.
37	Dwelling House, and Shop, No. 16, Whimple Street, at the Corner of Old Town Street.	Anthony Harvie -	John Masters -	John Masters.

Local Government Supplemental (No. 5.)

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
38	Dwelling House, Garden, Outhouses, and Courtlage, in Tothill Lane.	William Waller -	- - - -	William Waller, Richard King, Joseph Collier.
39	DwellingHouse, Shop, Outhouses, and Courtlage, No. 4, Bilbury Street, Corner of Charles Street.	John Norrish -	Mary Oliver -	Mary Oliver.
40	Dwelling House, No. 1, Charles Street.	Elizabeth Hockins	- - - -	Mary Ellis.
41	Dwelling House, No. 2, Charles Street.	Elizabeth Hockins	- - - -	Roger Whitell.
42	Dwelling House and Offices, No. 3, Charles Street.	Elizabeth Hockins	- - - -	William Doble.
43	Dwelling House, No. 4, Charles Street.	Elizabeth Hockins	- - - -	Jacob Chiltown.
44	Workshop and Stable, No. 5, Charles Street.	Samuel Head -	- - - -	John Head, John Head the younger, and Samuel Head.
45	Dwelling House, No. 6, Charles Street.	John Roach -	- - - -	William Floyd.
46	Dwelling House, Shop, Workshop, Stores, Passage, Outhouse, and Courtlage, No. 11, Woolster Street.	James Holmes Boyle, Ellen Crowley, Harry Lyne Boyle, Robert Boyle.	- - - -	William Martin, Thomas Putt, William Symons, William Clift, Henry Bennett, James Wheeler, James Rew, Edward Cridland, Thomas Harvie, Thomas Yeo, Arthur Wilson, Thomas Owld, Henry Putt, and James Stephens.
47	Dwelling House, Shop, and Outhouse, No. 14, Woolster Street.	Henry Putt -	- - - -	Henry Putt.
48	Stable and Stores, No. 13, Southside Street.	Sarah Stanbury -	- - - -	Henry Callard.
49	Coal and Hemp Stores, No. 14, Southside Street.	Sarah Stanbury -	- - - -	Thomas Pollard, George Rowe.
50	Dwelling House, Gardens, Outhouses, and Courtlage, No. 7, Nottingham Place.	Henry Terrell, Thomas Willcocks Popham, and William Marshall (Trustees).	- - - -	Unoccupied.
51	Dwelling House, Two Shops, Courtlage, and Outbuildings, No. 29, Notte Street.	Francis Gloyne -	Samuel Southcott -	Francis Gloyne, Samuel Southcott.
52	Dwelling House, Shop, Bakehouse, Stores, Outhouses, and Courtlage, No. 32, Notte Street.	Elias Ralph May Watts, Henry Rutland Strathon, and John Greenwood (Trustees).	William Hardy -	Unoccupied.

Local Government Supplemental (No. 5.)

No on Plan	Description of Property proposed to be taken.	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees	Occupiers.
53	Dwelling House, Outhouses, and Courtlage, No. 14, St. Andrew Street.	Joseph Clements Matthews (Trustee).	- - - -	William Maunder, Thomas Prince, David Davis, William Miller.
54	Dwelling House, Tenements, Garden, Outhouses, and Courtlage, No. 15, St. Andrew Street.	Joseph Clements Matthews (Trustee).	- - - -	William Barnes, James Godfrey, John Dawe, John Woollacott, and John Foster.
55	Dwelling House, Shop, Bakehouse, Outhouses, and Courtlage, No. 16, St. Andrew Street.	Joseph Clements Matthews (Trustee).	- - - -	David Henry Granger, John Curtis, Richard Able, George Nicholls, Thomas Rowe, and Margaret Curtis.
56	Wall dividing Providence Street from Clifton Place.	Thomas Harvey -	- - - -	Thomas Harvey.
57	Garden and Passage in front of Dwelling House, No. 5, Summerland Place.	Caroline Brown (Trustee).	- - - -	Caroline Brown.
58	Garden and Passage in front of Dwelling House, No. 11, Summerland Place.	Augustus Ellis, Thomas Ellis, and Isaiah Waterloo Nicholson Keys (Trustees).	- - - -	William Trevena.
59	Shop and Passage in front of Dwelling House, No. 72, Cobourg Street.	William Henry Fey (Trustee).	- - - -	Emanuel Hurrell, Alexander McLachlan.
60	Dwelling House, Outhouses, and Courtlage, No. 8, Tavistock Road.	The Legatees under the Will of Thomas Trader, deceased.	- - - -	Richard Cleverton Smith and George Hicks.
61	Courtlage, Coal Cellars, and Outhouses, at the Back of No. 10, Tavistock Place.	Peter Perlee Parker	- - - -	Peter Perlee Parker.
62	Courtlage, Garden, and Outhouses at the Back of No. 11, Tavistock Place.	Parry Mitchell -	- - - -	Parry Mitchell.
63	Dwelling House, Shop, and Stores, No. 12, Tavistock Road.	Louisa Cooban -	- - - -	George Coker.
64	Dwelling House, Shop, Courtlage, and Outbuildings, No. 28, Tavistock Street.	John White McKinlay Millman, and Alfred McKinlay Millman.	- - - -	Samuel Brooking Knight.

REDCAR.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Redcar in the County of York, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Street Improvements.*

WHEREAS the Local Board of Health for the District of Redcar in the County of York have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase a certain piece of land for works of street improvement within their District.

AND WHEREAS the said Petition duly set forth the land intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

The said Local Board of Health for the District of Redcar aforesaid shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this Seventh day of April, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECE of LAND proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, is the following:

No. on Plan.	Description of Property proposed to be taken.	Names of Owners, Lessees, and Occupiers.
1	A piece of land containing twenty-seven square yards or thereabouts, situate near King Street, and in or about the middle of High Street, in the District of Redcar aforesaid, delineated on the plan deposited at the office of the said Local Board of Health, and coloured red.	Ann Blatherwick, William Blatherwick, Thomas Blatherwick, Elizabeth Blatherwick, and Thomas Hall.

CARDIFF.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Cardiff in the County of Glamorgan, for the Purchase of Lands by the Local Board of Health for the aforesaid District for Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Cardiff in the County of Glamorgan, by the Council of such Borough, acting as the Local Board of Health for that District, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert

Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

The said Local Board of Health for the District of Cardiff aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Sixteenth day of May, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

SCHEDULE of LANDS and PREMISES proposed to be taken by the Cardiff Local Board of Health for improving SAINT JOHN STREET, NORTH STREET, and MILL LANE, within the Borough of Cardiff.

No. on Plan.	Description of Property.	Owners or reputed Owners	Lessees or reputed Lessees.	Occupiers.
	Saint John Street.			
1	House and Shop -	Thomas Dalton, Rev. William Powell, and John Harley, as Trustees under the Will of Charles Crofts Williams; Charles Henry Williams.	- - - -	Francis Bissicks.
2	House and Shop -	Same parties -	- - - -	Christopher Mouls.
3	House and Shop -	Richard Mayze -	Sarah Davis - -	William Morgan.
4	House and Shop -	Edward Thomas -	- - - -	James Good.
5	A Shop and Office and Showroom over.	William James Jacob, John R Jacob, Evan Jacob Harris.	The Cardiff Local Board of Health.	Vacant.
	North Street.			
6	Part of the Rose and Crown Inn.	John Boyle and Charles Stuart, Trustees under the Will of the Marquis of Bute.	- - - -	John Wride.
7	Part of the Maltsters Arms Inn.	Same parties -	- - - -	Philip Williams.

No. on Plan	Description of Property	Owners or reputed Owners.	Lessees or reputed Lessees	Occupiers.
	Mill Lane.			
8	A Dwelling House, Worksheds, Stables, Buildings, and Yard.	The Mayor, Aldermen, and Burgesses of the Borough of Cardiff.	Thomas Dalton, Rev. William Powell, and John Harley, Executors of the Will of Charles Crofts Williams; Charles Henry Williams; William Williams, Mrs. Ann Powell, Henry Powell, and Walter Powell, Executors of the Will of Thomas Powell; William Evans.	William Evans. Thomas Lemon. William Morgan.
9	Part of the Glamorganshire Canal.	The Glamorganshire Canal Navigation Company.	- - - -	The Glamorganshire Canal Navigation Company.

KINGSTON-UPON-HULL.

Provisional Order altering the Kingston-upon-Hull Improvement Act, 1854, in force within the Borough of Kingston-upon-Hull.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Kingston-upon-Hull, in their capacity of Local Board of Health for the district of the Borough, and acting in the execution of the Kingston-upon-Hull Improvement Act, 1854, (herein-after called the Improvement Act,) have, under the provisions of the Local Government Act, 1858, duly presented a Petition to me as one of Her Majesty's Principal Secretaries of State, praying for the repeal and alteration of certain of the provisions of the said Improvement Act, such said Improvement Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit. And whereas in pursuance of the Local Government Act, 1858, inquiry has been directed in the said Borough in respect of the several matters mentioned in the said Petition, and Report has been made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the purpose And whereas it is expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament Now, therefore, in pursuance of the Powers vested in me by the Local Government Act, 1858, I, as one of Her Majesty's Secretaries of State, do by this Order under my hand direct,—

That from and after the passing of any Act of Parliament confirming this Order, the Improvement Act shall be amended as follows, and shall take effect accordingly; that is to say,

Sections 138, 139, and 140 of the Improvement Act shall be repealed.

Given under my hand this Seventh day of April, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

GUILDFORD.

Provisional Order repealing a Local Act in force within the District of the Guildford Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Guildford in the County of Surrey, by the Council of the said Borough acting as the Local Board for the District of Guildford aforesaid, have duly presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Town of Guildford, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Fifty-second year of the reign of King George the Third (Cap. 51.), intituled "An Act for paving, cleansing, and otherwise "improving the Town of Guildford in the County of Surrey."

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been made in the said District by Robert Morgan, Esquire, the Inspector appointed for such purpose, in respect of the several matters mentioned in the said Petition.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The said Local Act of 52 Geo. 3. cap. 51. shall be repealed, and the powers, authorities, and duties of the Paving Commissioners for the time being acting in execution of such Local Act shall cease.

2.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same purposes, as by such Commissioners.

3.—All debts, monies, and securities for money contracted or payable by such Commissioners shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

4.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

5.—If

5.—If any officer to the Commissioners acting in execution of the said Local Act shall, by reason of the repeal of the said Act, be superseded, or if he shall be removed from his office, and not be employed and retained in an office of equal value by the said Local Board, he shall be entitled to have an adequate compensation for the profits, salary, and emoluments of the said office, the said compensation to be by way of annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury, upon the report of the said Local Board, to be made within three months after any such person shall have been superseded in his office, founded upon a declaration made by such person, setting forth the salary, profits, and emoluments derived by him and his predecessors for every year during a period of five years next before the day when he shall have ceased to hold such office, and such other evidence as the said Local Board may require as to the amount, nature, and particulars of such profits; and in assessing the same regard shall be had to the manner of his appointment to such office, and his term therein; and the said Local Board shall, from time to time, pay to the person entitled to compensation out of general district rates the money which shall, upon such report, and any appeal or reclamation against the same, be finally awarded by the Commissioners of Her Majesty's Treasury, as the same shall become due and be payable.

Given under my hand this Fifteenth day of April One thousand eight hundred and sixty-five.

(Signed) G. Grey.

RAMSGATE.

Provisional Order for the alteration and amendment of the Ramsgate Improvement Act, 1838, *in force within the District of the Ramsgate Local Board.*

Whereas the Commissioners acting in execution of a certain Local Act of Parliament passed in the first and second years of the reign of Her present Majesty (cap. 70.), intituled "An Act for better paving, lighting, watching, "and improving the Parish of Ramsgate in the County of Kent, and for "regulating the Police thereof," have duly adopted the Local Government Act, 1858, in and for the said Parish of Ramsgate.

And whereas the said Commissioners acting as a Local Board under and for the purposes of the Local Government Act have, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration, amendment, and partial repeal of the said Local Act, being an Act in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals, for their own pecuniary benefit, and for other purposes in such Petition set forth.

Local Government Supplemental (No. 5.)

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been made in the said District by Robert Morgan, Esquire, the Inspector appointed for such purpose, in respect of the several matters mentioned in the said Petition.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Act aforesaid of 1 & 2 Vict. c. 70. shall be altered and amended as follows, and shall be read and have effect accordingly:—

The following sections and parts of sections of the said Local Act shall be repealed, that is to say, sections 30, 31, 32, 33, 34, 35, 36, 37, 38, and 39, section 40 except so much of the same as relates to lighting, sections 41, 42, 44 and 45, 47, 48, 49, 50, 51, sections 63 and 64, 66 to 74, both inclusive, 81 to 86, both inclusive, and 89 to 125, both inclusive, sections 133 to 153, both inclusive, and 174 to 189, both inclusive, except so much of section 176 as provides for the application and payment of penalties to be imposed under the said Local Act: Provided nevertheless, that sections 81 to 86 inclusive shall continue in full force and unrepealed until the Local Board shall have made byelaws under the 68th section of the Towns Police Clauses Act, 1847, and such byelaws shall have come into operation, and that sections 134 to 152, both inclusive, shall continue in force and unrepealed as to all rates already made under section 133.

2.—The officers and other persons appointed by the said Commissioners under the said Local Act shall be continued, without the necessity of reappointment, and all such officers shall act, and all securities given by them shall continue in force, as if the appointment had been made and the securities given under the Public Health Act, 1848, and the Local Government Act, 1858.

3.—The 61st section of the said Local Act shall be altered by inserting therein after the word "furiously," now forming part of that section, the words "to the common danger of the passengers in any street or thoroughfare;" and by inserting therein after the word "baggage," now forming part of the same section, the words following, "or who "shall draw any timber, stone, or other weighty article without the "same being placed upon or suspended from a wheeled carriage "proper for that purpose, or who shall cause any tree or timber to be "drawn in or upon any timber carriage without having to guide and "direct the hind wheels of such carriage a person who shall not be "under the age of eighteen years, and who shall be of sufficient "strength to guide and direct the same by means of a rope or chain "attached to the steerer thereof;", and also by inserting therein after the word "neighbourhood," now forming part of the same section, the words following, that is to say, "or use any threatening, abusive, or "insulting

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"insulting words or behaviour with intent to provoke a breach of the "peace, or whereby a breach of the peace may be occasioned, or shall "by word of mouth, card, handbill, or otherwise pertinaciously "solicit or ply any person to use any hotel, lodging-house, eating-"house, or public-house, or booking office, or to give his custom to "any tradesman, owner of a bathing machine or shop, or to hire or "travel by any coach, omnibus, van, chaise, fly, public carriage or "railway, boat, vessel, or to hire or use any bathing machine, horse, "mule, or ass."

4.—The 62nd section of the said Local Act shall be altered by expunging therefrom the two words "such like," now forming part of such section, immediately before the word "carriage"; and the 128th section of the said Local Act shall be altered by inserting therein after the words "Ramsgate or," now forming part of that section, the words following ("except in accordance with such regulations as the said "Commissioners may from time to time prescribe in that behalf"), and also by inserting therein immediately before the word "provided," now forming part of the said section, the words following, "And in case any person shall at any time hereafter in the said "Parish of Ramsgate expose anything for sale in any grounds, garden, "promenade, or esplanade, unless with the consent of the owner of "such grounds, garden, promenade, or esplanade, or other person "authorized to give such consent, such person shall for every such "offence forfeit and pay a sum not exceeding forty shillings."

5.—And whereas constables have been appointed under the 76th section of the said Local Act, and a fund has been raised for the superannuation allowances to such constables: there shall be added to the said 76th section the following proviso; viz., that all monies heretofore raised by weekly contributions out of the wages of constables appointed and sworn under the said Act, and from other sources, and now forming a fund in the nature of the Superannuation Fund, and the securities wherein the same is or may be invested, shall be and the same are hereby vested in the treasurer of the said Commissioners for the time being, and shall be transferred and paid to such treasurer accordingly, to be held by him as herein-after is mentioned.

6.—There shall be deducted from the pay of every constable belonging to the Police Force of the Parish of Ramsgate a sum after such yearly rate as the said Commissioners acting as a Local Board therein shall direct, not exceeding 2*l.* 10*s.* in the 100*l.*, which sum so deducted, and also the monies accruing from stoppages from any of the said constables during sickness, and fines imposed on any of the said constables for misconduct, and from moieties or other shares of fines and penalties awarded to informers, being police constables, on summary conviction by justices, shall be paid to the treasurer of the said Local Board, and the same, together with the monies and securities herein-before directed to be paid and transferred to such treasurer, shall be invested in such manner as the said Local Board shall direct, and the interest and dividends thereof, or so much thereof

thereof as shall not be required for the purposes herein-after mentioned, shall be invested in the like manner and accumulate so as to form a Superannuation Fund, and shall be applied from time to time for payment of such superannuation or retiring allowances or gratuities as may be ordered by the said Local Board; and the said Local Board shall guarantee the security of the said Superannuation Fund, and make good out of the rates to be levied by them any deficiency which may arise in such fund from the default of any treasurer or other person entrusted with the custody or management thereof.

7.—It shall be lawful for the said Local Board, if they shall think fit, to order that any of the constables of their District may be superannuated, and receive thereupon, out of the Superannuation Fund, a yearly allowance, subject to the following conditions and not exceeding the following proportions; that is to say, that if he shall have served with diligence and fidelity for fifteen years and less than twenty years, an annual sum not more than half pay; if for twenty years or upwards, an annual sum not more than two thirds of his pay: Provided that if he shall be under sixty years of age it shall not be lawful to grant any such allowance unless upon a certificate of a surgeon that he is incapable from infirmity of mind or body to discharge the duties of his office: Provided also, that if any constable shall be disabled from any wound or injury received in the actual execution of the duty of his office it shall be lawful to grant him any allowance not more than the whole of his pay; but nothing herein contained shall be construed to entitle any constable absolutely to any superannuation allowance, or to prevent his being dismissed without superannuation allowance.

8.—That the 61st section of the aforesaid Local Act shall be altered by adding to the nuisances therein included any person who shall sound or play upon any musical instrument or shall sing in any thoroughfare or public place; and for the purpose of protecting householders from such nuisance as aforesaid, the Act of 27 & 28 Vict. cap. 55., intituled "An Act for the better Regulation of Street Music within the Metro-"politan Police District," shall be in force within the District of Ramsgate, and for this purpose the first section of the said "Street Music (Metropolis) Act, 1864," shall be read as if the words "Ramsgate District" were substituted for the words "Metropolitan Police District," and the words "any Constable acting in and for the Ramsgate District" were substituted for the words "any Constable belonging to the Metropolitan Police Force."

9.—That the 88th section of the aforesaid Local Act shall be altered by enabling the Ramsgate Commissioners, in addition to providing fire engines, &c., as therein enacted, to purchase and maintain boats, life-buoys, apparatus, matters, and things for the prevention of drowning, or for the recovery or search for the bodies of drowned persons, and the restoring to animation persons apparently drowned, and to hire or purchase, provide and maintain, all stations, rooms, sheds, and buildings necessary or convenient for such purposes, and to employ and remunerate persons in charge of such rooms, sheds, or buildings,

or

or of such apparatus, or taking part in any of the services herein mentioned.

10.—All debts and liabilities under the said Local Act shall, so far as the monies to be received thereunder shall be insufficient for payment of the same, be satisfied as debts and liabilities under the Local Government Act; and all expenses under the unrepealed portions of the said Local Act, so far as the monies to be received thereunder shall be insufficient for payment of the same, shall be borne by the rates leviable under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

11.—All penalties recoverable under the said Local Act or any of the General Acts before mentioned, or under the Local Government Act, 1858, or any of the Acts incorporated therewith, or imposed or recoverable by or in virtue of any byelaw made in pursuance of or in accordance with this Provisional Order, shall be recoverable in the manner provided by the Act of the session of the 11th and 12th years of the reign of Her present Majesty, cap. 43., with respect to the Administration of Justice, and shall be applied in the manner provided by the 176th section of the said Local Act.

Given under my hand this Second day of June, in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

RYDE.

Provisional Order for extending the Borrowing Powers of the Ryde Commissioners acting as Local Board within the District of Ryde in the Isle of Wight.—Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted within the boundaries of the District of the Town of Ryde in the Isle of Wight by the Commissioners acting under the provisions of the Ryde Improvement Act, 1854.

And whereas the said Commissioners acting as the Local Board for the said District have duly received powers to borrow, under the Provisions of the Ryde Improvement Act, 1854, and of the Ryde Water Act, 1861, and of the Local Government Supplemental Act, 1863, sums, amounting in the whole to Forty-eight thousand six hundred Pounds (48,600*l.*), to defray the expense of works for the drainage of and supply of water to the said District, and other works of a permanent nature under the aforesaid Acts (of which sums the amount now actually borrowed is 47,280*l.*): And whereas a further sum will be required to carry out and complete the said works, but such further sum

with the first herein-before mentioned sums will exceed the assessable value for one year of the premises assessable under the said Acts and the Local Government Act, 1858, within such District.

AND WHEREAS the said Commissioners acting as such Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for the purpose aforesaid, on mortgage of the rates leviable by the aforesaid Commissioners acting as such Local Board under the powers of the herein-before cited Acts, a sum or sums not exceeding in the whole Nine thousand Pounds (9,000*l.*), which, with the amount already borrowed, will not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed

AND WHEREAS, after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows :—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Ryde Improvement Commissioners acting as the Local Board for the District of Ryde in the Isle of Wight aforesaid shall have power and authority to borrow or reborrow, for the execution and completion of the aforesaid works within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a further sum or sums, such further sum or sums not to exceed altogether Nine thousand Pounds (9,000*l.*), which, together with the sums already borrowed or sanctioned to be borrowed by such Commissioners now acting as the Local Board aforesaid, will not exceed in the whole two years assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Sixteenth day of May One thousand eight hundred and sixty-five.

(Signed) G. GREY.

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WORKINGTON.

Provisional Order for extending the Borrowing Powers of the Workington Local Board.

WHEREAS the Local Board for the District of Workington in the County of Cumberland require to carry out, under the provisions of the Local Government Act, 1858, works of a permanent nature, consisting of works of sewerage and water supply, within their District, but the sum that will be required to carry out and complete the said works will, with the sum of 8,570*l.* already sanctioned to be borrowed by such Local Board, exceed the assessable value for one year of the premises assessable under the said Act within such District.

AND WHEREAS the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow any sum or sums not exceeding in the whole (with the sum of 8,570*l.* already sanctioned to be borrowed) the amount of twenty thousand seven hundred and forty pounds (20,740*l.*), on mortgage of the rates leviable by the aforesaid Local Board under the powers of the Local Government Act, 1858, the said sum or sums not exceeding in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

AND WHEREAS, after due inquiry and report by Robert Rawlinson, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted, but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

The Local Board for the District of Workington in the County of Cumberland shall have power and authority to borrow any sum or sums for the execution and completion of the aforesaid works, being works of a permanent nature, on mortgage of the rates leviable by the said Local Board under the aforesaid Act, the said sum or sums not exceeding twenty thousand seven hundred and forty pounds (inclusive of the sum of 8,570*l.* already sanctioned to be borrowed by such Board), that amount (20,740*l.*) not exceeding in the whole two years assessable value of the premises assessable under such Act within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Eleventh day of May One thousand eight hundred and sixty-five.

(Signed) G. GREY.

OXFORD.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Oxford Local Board.

WHEREAS the Local Government Act, 1858, has been duly adopted within the University and City of Oxford, the suburbs thereof, and the adjoining Parish of St. Clement, by the Oxford Commissioners mentioned and referred to in the 82d section of the Local Government Act aforesaid; and the Local Board for the Oxford District have, in pursuance of the provisions of section 77 of the Local Government Act, 1858, presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying that the provisions of the Public Health Act, 1848, and the Local Government Act, 1858, respectively, with respect to the paving, pitching, repairing, lighting, and cleansing of the several public streets, lanes, ways, passages, and places within the District, should come into operation therein, and that the powers of the Commissioners with respect to Magdalen Bridge and the Mileways, and with respect to Gas works and Gas Supply, should be transferred to and vested in the said Petitioners; that further provision should be made with respect to the election of members of the Local Board; and that provision should be made for rendering the property in the University and the Colleges and Halls thereof liable to the General District Rates of such Local Board.

AND WHEREAS for such purposes the said Petitioners prayed that such of the provisions of the Oxford Local Acts of 1771 and 1781 and 1812 and 1815 and 1848 respectively as do not relate to the Markets and to the Gasworks and the Gas Supply respectively (which provisions do not confer powers or privileges upon corporations, companies, undertakers, or individuals for their own pecuniary benefit) should be in part repealed and in part amended, and other provisions enacted, and an Order for the purpose under section 77 of the Local Government Act should accordingly be made.

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and Mr. Robert Rawlinson, the Inspector appointed for the purpose, has reported to me thereon.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The following provisions shall have effect on and after the third Wednesday next after the day of the passing of the Act confirming this Order.

2.—The

2.—The provisions of the Local Government Act, 1858, relating to the several purposes included in the five several Local Acts of the 11th year of George the 3rd, chap. 19, and the 21st year of George the 3rd, chap. 47, and the 52nd year of George the 3rd, chap. 72, and the Session of the 5th and 6th years of William the 4th, chap. 69, and the Session of the 11th and 12th years of Her present Majesty, chap. 37, which are respectively in force in the Oxford District (in this Order called the five Local Acts), with relation to any of the purposes of the Public Health Act, 1848, or the Local Government Act, 1858, which have not already come into operation within the District, shall (except only as in this Order is otherwise provided) come into and be in operation in all places within the District.

3.—Provided that this Order shall be subject to the several powers and provisions of the five Local Acts respectively, so far as the same relate to the Tolls to be demanded and taken in respect of Magdalen Bridge and the Mileways, and to the Mortgages of the Tolls and the rights and remedies of the Mortgagees thereof, and to the Markets respectively.

4.—The five Local Acts respectively are by this Order repealed, save only the sections and provisions thereof following, so far as the same respectively are now in force, that is to say, the sections and provisions of the five Local Acts respectively relating to Magdalen Bridge and the Mileways, and the Tolls to be demanded and taken in respect of the same, and the Mortgages of the Tolls, and the rights and remedies of the Mortgagees thereof, and relating to the Markets, and relating to Gas-works and the supply of Gas, and relating to all matters incidental to those matters respectively.

5.—The sections and provisions of the five Local Acts respectively which are so saved (except the sections and provisions thereof relating to the Markets) shall, so far as the same respectively are now in force, apply not to the Commissioners but to the Local Board instead of the Commissioners, and shall be read and have effect as if wherever in those sections respectively the Commissioners are named or referred to the Local Board instead of the Commissioners were named or referred to.

6.—All sewers, drains, and other works respectively made by and vested in the Commissioners, and all lands and interests in lands respectively acquired by and vested in the Commissioners for the widening Magdalen Bridge and its approaches and the streets, and all rights incidental to the same respectively, and the benefit and burden of all contracts entered into by or with the Commissioners with respect to the lighting of streets and other public places, and the supplying of paving stone and materials for paving and repairing streets and other public places, and the cartage thereof, and all rates duly assessed under the provisions of the said five Local Acts or any of them, and not collected at the time that this Order shall begin to have effect as first herein-before mentioned, and all other property and effects, rights, and liabilities whatsoever of the Commissioners under the five Local Acts respectively with respect to any of the purposes thereof other than the purposes

thereof relating to the Markets, are by this Order transferred to and vested in the Local Board.

7.—All the deeds, records, minutes, accounts, account books, minute books, and other documents, papers, and writings of the Commissioners with respect to any of the purposes of the five Local Acts respectively, other than the purposes thereof with respect to the Markets, shall be the property of the Local Board, and shall forthwith be delivered to them by the Commissioners accordingly, the Local Board giving to the Commissioners, if so required by them, a schedule of and a receipt in writing for the same; but the same shall at all seasonable times be open to the inspection and transcription of the Commissioners and their agents in that behalf, and, if and when requisite for enforcing any claim or demand by or resisting any claim or demand against the Commissioners, shall, at their request and expense, be produced in any court of law or equity or elsewhere.

8.—Wherever in the Act of the 58th year of George the 3rd, chap. 64, intituled "An Act for lighting with Gas the University and City of "Oxford and the Suburbs of the same City," the Commissioners are named or referred to, the Local Board instead of the Commissioners shall be deemed to be named or referred to, and that Act shall be read and have effect accordingly.

9.—For the purposes of all Acts from time to time in force with respect to the removal or prevention of nuisances, and also with respect to the well ordering of Common Lodging Houses, the Local Board instead of the Commissioners shall be the Local Authority with respect to the execution of those Acts within the District.

10.—Notwithstanding the repeal of parts of the five Local Acts respectively, and the transfer by this Order to the Local Board of parts of the property, powers, rights, and liabilities of the Commissioners, and except only as is by this Order otherwise expressly provided, everything before the coming into effect of this Order done, suffered, and confirmed respectively under or by the five Local Acts respectively shall be as valid as if the repeal and transfer had not happened, and the repeal and transfer and the operation of this Order shall accordingly be subject and without prejudice to everything so done, suffered, and confirmed respectively, and to all rights, liabilities, claims, and demands, both present and future, which, if the repeal and transfer had not happened, would be incident to or consequent on everything so done, suffered, and confirmed respectively; and with respect to everything so done, suffered, and confirmed respectively, and to all those rights, liabilities, claims, and demands, the Local Board shall to all intents represent the Commissioners.

11.—The accounts of the Commissioners with respect to the several purposes of the five Local Acts respectively, other than the purposes thereof with respect to the Markets, shall forthwith be made up and stated and audited; and if the accounts show a balance in the hands of the Commissioners, then the amount of the balance shall thereupon be paid by them to the Local Board, or if the accounts show that the debts and liabilities of the Commissioners are not fully paid or discharged,

charged, then the lawful debts and liabilities of the Commissioners remaining unpaid or undischarged shall be paid or discharged by the Local Board.

12.—Provided that this Order shall not give to the Mortgagees of the Tolls to be demanded and taken in respect of Magdalen Bridge and the Mileways any security, right, or remedy in excess of the securities, rights, and remedies which they would have if this Order were not confirmed, and shall not relieve the Parishes of Cowley, Iffley, and St. Clement, or either of them, nor any person or persons, body or bodies politic or corporate, from any liability with respect to the repair of the Mileways or Magdalen Bridge, and shall not impose on the Local Board any liability with respect to the repair of Magdalen Bridge and the Mileways to which the Commissioners would not be subject if this Order were not confirmed.

13.—If any Rates duly assessed under the provisions of the said five Local Acts shall not have been collected at the time that this Order shall begin and have effect, as first herein-before mentioned, the Local Board shall have all the powers for the recovery of the said uncollected Rates which were heretofore possessed by the said Commissioners, and the monies which shall be collected or recovered shall be applied by the Local Board for their general purposes as if they had been part of a General District Rate.

14.—The accounts of the Commissioners to be made up, stated, and audited, as by this Order provided, and the accounts of the Local Board, shall be audited by the Auditor of the accounts of the Guardians of the Poor within the City of Oxford, under the Oxford Poor Rate Act 1854, and there shall be paid to him by the Commissioners, and from time to time by the Local Board respectively, the like remuneration for his services in so auditing their respective accounts as is from time to time paid to him for his services in auditing the accounts of the Guardians.

15.—The Local Board from time to time, if and when they think fit, may, within the District, cleanse any parts of the Rivers Cherwell and Thames or Isis respectively, and of the streams running into those rivers respectively, and may prevent or remove any encroachments on any of those rivers and streams respectively, and may convert any parts of any of those streams into which any sewer or drain is from time to time emptied into a covered sewer, and may do and execute all works and things which the Local Board shall think requisite for or incidental to any of those purposes.

16.—Where the Local Board shall so convert any part of any of those streams into a covered sewer, the arch or other covering over the same, and all works executed by them for the purpose of covering over the same and incidental thereto, shall be by this Order vested in the Local Board

17.—Except as regards any sewer or drain which now is lawfully emptied into any of those rivers and streams before mentioned, the Local Board may prevent the emptying of any sewer or drain into any of those rivers

rivers and streams, and may do and execute all works and things which they shall think requisite in such case.

18.—Where any present or future sewer of the Local Board is within 100 feet from any sewer or drain which now is lawfully emptied into any of those rivers and streams respectively, the Local Board may divert the sewer or drain so that it shall thenceforth be emptied into the sewer instead of into such river or stream, and may do and execute all works and things which they think requisite in such case; but the Local Board shall not so divert any sewer or drain without providing for it a proper and sufficient outfall into their own sewer.

19.—All properties whatsoever within the District which are or hereafter may be assessable to any Rate for the Relief of the Poor shall be assessable to the General District Rates to be made and levied by the Local Board, in the same manner in all respects as is provided by Section 55 of the "Local Government Act, 1858," and all exemptions from Rates heretofore allowed under any or either of the five Local Acts shall henceforth cease.

20.—The several powers by this Order conferred on the Local Board shall be in addition to and not in any respect restrictive of their other powers.

21.—Except only as is by this Order expressly provided, nothing in this Order shall take away, lessen, prejudice, alter, or affect any privilege or right whatsoever of the University, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or any privilege or right whatsoever of the City, or of any of the Magistrates or Servants thereunto belonging, or any exercise of any such respective privilege or right.

Given under my hand this Thirty-first day of May One thousand eight hundred and sixty-five.

(Signed) G. Grey.

HINCKSEY (Oxford District).

Provisional Order for altering the Boundaries of the District of Oxford, under the Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted within the University and City of Oxford, the Suburbs thereof, and the adjoining Parish of Saint Clement, by the Oxford Commissioners mentioned in the 82d section of the said Local Government Act, and acting as Local Board under its provisions: And whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of such Act, from the said Commissioners acting as such Board, praying that their District might be extended by including therein a certain

certain detached portion of the Parish of North Hincksey in the County of Berks, as described in their Petition.

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed and duly held in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Rawlinson, Esquire, the Inspector appointed for the purpose.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The District of Oxford aforesaid shall be extended by including within its boundaries all that detached portion of the Parish of North Hincksey in the County of Berks which adjoins the Liberty of Grandpont in the Parish of Saint Aldate in the said County, and is bounded by the Shirelake Ditch, and including the same on the north, Grandpont in the Parish of Saint Aldate on the east, the northern side of the towing-path adjoining the river Isis on the south (excluding such towing-path), and the river Isis on the south-west and west, including the said river, and which said portion of the Parish of North Hincksey is shown on the map accompanying such Petition, and is coloured yellow thereon.

2.—The Local Board for the time being for the District of Oxford shall be the Local Board for the District as altered by this Order and the Act of Parliament confirming the same.

Given under my hand this Twentieth day of May, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

COWLEY (OXFORD DISTRICT).

Provisional Order for altering the Boundaries of the District of Oxford, under the Local Government Act, 1858.

WHEREAS the Local Government Act, 1858, has been duly adopted within the University and City of Oxford, the Suburbs thereof, and the adjoining Parish of Saint Clement, by the Oxford Commissioners mentioned in the 82d section of the said Local Government Act, and acting as Local Board under its provisions: And whereas a Petition has been duly presented to me, as one

one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, from owners and ratepayers of the Parish of Cowley, comprising the Townships of Church Cowley and Temple Cowley, partly in the City and Borough of Oxford and partly in the County of Oxford, praying that the District of the said Oxford Local Board might be extended by including therein certain pieces or parcels of land in the said Parish of Cowley as described in the said Petition, and delineated on the map accompanying the same, the boundary thereof being coloured brown thereon.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and duly held in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Rawlinson, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The District of Oxford aforesaid shall be extended by including within its boundaries the two meadows numbered 1 and 2 on the map annexed to the award dated the twenty-eighth day of June One thousand eight hundred and fifty-three of the valuer acting in the inclosure of the open fields of Cowley, the Marsh, Bullingdon Green, and Elder Stubbs, situate in the Parishes of Cowley, Iffley, and Saint Clement, in the County of Oxford, and which lie on the west side of Magdalen Bridge and between the branches of the river Cherwell there; and also all and so much of the said Parish of Cowley, including Church Cowley and Temple Cowley, as lies between and is bounded on the north, north-west, and west by the river Cherwell and the stream leading out of the same to the private road bounding the allotment numbered 3 on the said award, and bounded on the south by the said private road and on the east by the Henley Mileway; and also so much of the Parish of Cowley as lies between and is bounded by the Henley Mileway on the west, the Cowley Mileway on the east and north-east, and the road called Magdalen Road on the south or south-east; also the allotment numbered 40 on the said award, lying on the south side of the said Magdalen Road; also so much of the parish of Cowley as lies north or north-west of the Divinity Footway and east or north-east of the Cowley Mileway; also that part of the said Henley Mileway which extends from the Saint Clement's Turnpike to the first part of the same mileway marked as belonging to Iffley, and tinted yellow on the map annexed to the said award; also the whole of the Magdalen Road and so much of the Cowley Mileway as extends from the Divinity Footway to Saint Clement's Turnpike, and is not in the Parish

Parish of Saint Clement; and also all other such parts, if any, of the Parish of Cowley as are not herein-before described and are in the Borough of Oxford.

2.—The Local Board for the time being for the District of Oxford shall be the Local Board for the District as altered by this Order and the Act of Parliament confirming the same

Given under my hand this Twentieth day of May, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. CIX.

An Act for transferring the *Ulster* Canal to the Commissioners of Public Works in *Ireland*.

[5th *July* 1865.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, being an Act for making and maintaining a navigable Canal from *Lough Erne* in the County of *Fermanagh* to the River *Blackwater* near the Village of *Charlemont* in the County of *Armagh*, which Act was amended by an Act of the Session held in the Ninth Year of His said late Majesty, Chapter Ninety-six, and by a further Act of the Session held in the Tenth Year of His said late Majesty, Chapter One hundred and nine, and by a further Act of the Session held in the Second Year of His late Majesty King *William* the Fourth, Chapter Fifty-six: And whereas considerable Progress was made in the Execution of the said Canal, being commonly called the *Ulster* Canal, by the Company authorized to be formed and incorporated by the said firstly-recited Act, under the Style of the *Ulster* Canal Company: And whereas the Commissioners acting in the Execution of an Act made and passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, being an Act to authorize the Issue of Exchequer Bills,

6 G. 4. c. 193.

9 G. 4. c. 96.

10 G. 4. c. 109.

1 & 2 W. 4. c. 56.

and

and the Advance of Money to a limited Amount out of the Consolidated Fund for the carrying on of Public Works and Fisheries in the United Kingdom, and of the subsequent Acts amending the same (which Commissioners were then commonly called the Exchequer Loan Commissioners), did on or about the Twelfth Day of *August* One thousand eight hundred and thirty-three, under the Provisions of the said last-mentioned Acts or some of them, consent to advance to the said *Ulster* Canal Company a Loan of One hundred and twenty thousand Pounds, by Six several Instalments of Twenty thousand Pounds each: And whereas Three of the said Instalments were respectively advanced to the said Canal Company on the Twelfth Day of *August* One thousand eight hundred and thirty-three, the Fourteenth Day of *April* One thousand eight hundred and thirty-five, and the Thirteenth Day of *October* One thousand eight hundred and thirty-five, and the Repayment thereof secured to the said Loan Commissioners by Three several Indentures of Mortgage, under the Common Seal of the said Canal Company, bearing Date respectively the Twelfth Day of *August* One thousand eight hundred and thirty-three, the Fourteenth Day of *April* One thousand eight hundred and thirty-five, and the Thirteenth Day of *October* One thousand eight hundred and thirty-five, whereby, for the Considerations therein mentioned respectively, the said Canal Company conveyed to *John Strettel Brickwood*, the Secretary of the said Commissioners, all the Rates and Tolls of the said Canal receivable under the said Acts authorizing and enabling the Construction of the same, and all the Freehold and Leasehold Tenements and Premises of the said Company, subject to Redemption on Payment by the said Company of the said Principal Sums so advanced, and of all Interest thereon, by such Instalments as were thereby provided: And whereas an Act was passed in the Sixth Year of His said late Majesty King *William* the Fourth, being an Act to amend and enlarge the Powers and Provisions of the several Acts for making and maintaining the *Ulster* Canal in the Counties of *Fermanagh*, *Monaghan*, and *Armagh*, in *Ireland*, and thereby the said Canal Company was empowered to make certain Deviations from the Line or Course of the said Canal, and to make and maintain a certain Reservoir at *Quigalough* in the County of *Monaghan* for the Purpose of supplying the said Canal with Water, with Aqueducts, Pipes, and other Works necessary for such Reservoir, and for the Purpose of such Deviations and of such Reservoir and other Works; and the said Company was empowered to acquire other Lands as therein provided; and it was thereby enacted, that all Powers, Authorities, Lands, Works, and Property whatsoever which should become vested in the said Company by virtue of the said Acts should form Part of the Premises and

6 W. 4. c. 72.

Property

Property so assigned and conveyed by way of Mortgage to the said *John Strettel Brickwood* as aforesaid: And whereas Three several further Sums of Twenty thousand Pounds each were advanced by the said Loan Commissioners to the said Canal Company, and by Three several further Indentures of Mortgage of the said Canal and Undertaking, bearing Date respectively the Seventh Day of *June* One thousand eight hundred and thirty-six, the Eleventh Day of *October* One thousand eight hundred and thirty-six, and the Ninth Day of *May* One thousand eight hundred and thirty-seven, the Repayment of the said Three several last-mentioned Sums was secured to the said Commissioners, payable by Instalments as therein respectively provided: And whereas by virtue of the Provisions of the said Six several Indentures of Mortgage it was provided, that the said Six several Sums of Twenty thousand Pounds should be repaid by the Payment of Six several Sums of Five thousand Pounds each on the Twelfth Day of *August* One thousand eight hundred and thirty-eight, and by Fifteen subsequent equal yearly Instalments on the Twelfth of *August* in the Fifteen subsequent Years: And whereas by a certain Indenture of Mortgage, bearing Date the Thirty-first Day of *October* One thousand eight hundred and forty, and made between the said *Ulster* Canal Company of the First Part, Sir *John Fox Burgoyne*, *Brooke Taylor Ottley*, and *John Radcliffe*, Esquires, Commissioners of Public Works in *Ireland*, of the Second Part, and *Henry Richard Paine*, then Secretary to the said Commissioners of Public Works, of the Third Part, in consideration of a further Sum of Ten thousand Pounds agreed to be advanced by the said Commissioners of Public Works to the said *Ulster* Canal Company, all the said Canal and Undertaking, and the Rents and Tolls thereof, and all the several Hereditaments and Premises in the said Indenture of Mortgage particularly described, and acquired by the Canal Company for the Purpose of their said Undertaking, were conveyed to the said *Henry Richard Paine* as such Secretary as aforesaid (subject nevertheless to the said Securities of the said Loan Commissioners) by way of Mortgage, and in order to secure the Repayment of the said Sum of Ten thousand Pounds by certain half-yearly Instalments as therein provided: And whereas by a certain Indenture of Demise bearing Date the Twenty-sixth Day of *March* One thousand eight hundred and fifty-one, and made between the said *John S. Brickwood* of the one Part, and *William Dargan* of the other Part, after reciting the said Six several Indentures of Mortgage firstly herein-before mentioned, and reciting, as the Fact was, that the whole of the said Sum of One hundred and twenty thousand Pounds was due and unpaid, the said *John Strettel Brickwood*, as such Secretary as aforesaid, and by virtue of the Statutes enabling the said Commissioners in that

Indenture of Demise dated 26th March 1851.

that Behalf, demised all the said Canal and Undertaking, and the Rates and Tolls thereof, to the said *William Dargan* for the Term of Fourteen Years, computed from the First Day of *January* One thousand eight hundred and fifty-one, subject to the yearly Rent of Four hundred Pounds, and to a further Rent of Twenty Pounds for every One thousand Tons of Traffic on the said Canal exceeding Twenty thousand Tons, in manner therein mentioned: And whereas the said Lease expired by Effluxion of Time on the First Day of *January* One thousand eight hundred and sixty-five: And whereas no Part of the said Sum of One hundred and twenty thousand Pounds so advanced by the said Public Loan Commissioners, or of the said Sum of Ten thousand Pounds advanced by the said Commissioners of Public Works, has ever been repaid, but the same, together with large Arrears of Interest thereon respectively, still remain due and owing, and the whole Amount so due on Foot of the said Securities greatly exceeds the Value of the said Canal and Undertaking and Premises so subject to the said Mortgages, and the said Canal has long since ceased to be occupied or worked by the said Canal Company, and the same is now in possession of the said Public Works Loan Commissioners: And whereas the said Canal and Works have fallen into Disrepair in many Places, and it is expedient that Provision should be made for the Repair thereof, and it may be necessary to acquire further Rights in Water for the Supply of the same, and also to construct further Works in connexion with the said Canal, and it is expedient to transfer the said Canal and Undertaking and all Property thereof to the Commissioners of Public Works in *Ireland* for the Purposes herein-after expressed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Canal and Undertaking transferred to the Commissioners of Public Works in Ireland.

1. All the said Canal called the *Ulster* Canal, and all the Undertaking of the same, together with all the Powers, Privileges, and Authorities vested in the said *Ulster* Canal Company by any of the Acts constituting or enabling such Company, whether of levying and receiving Tolls, Rates, or otherwise, and all the Works and Property of the said Company, and all Lands, Tenements, and Hereditaments at any Time heretofore acquired by or vested in the same Company, together with all the Appurtenances thereof, and all the Estate, Right, Title, and Interest of the said Company in or to the same, shall, from and after the passing of this Act, be vested in the Commissioners of Public Works in *Ireland*, freed and discharged from all Estates, Charges, and Incumbrances heretofore made, permitted, or suffered by the said Canal Company.

2. The

2. The said Commissioners of Public Works, for the Purposes of this Act, shall be incorporated under the Style of the Commissioners of Public Works in *Ireland*, and by that Name shall have perpetual Succession and a Common Seal, to be by them made, and from Time to Time altered, as they shall think fit.

Commissioners of Public Works to be a Corporation for Purposes of this Act.

3. It shall be lawful for the said Commissioners, with the Sanction of the Lords Commissioners of Her Majesty's Treasury, to acquire any Waters, Lands, Tenements, and Hereditaments which may be necessary or convenient for the said Canal, either by Purchase or by way of Lease.

Power to acquire Water and Lands, &c.

4. For the Purpose of empowering the said Commissioners to purchase or take any such Waters, Lands, or Hereditaments, and of enabling all Corporations, Bodies Politic, and other Persons to convey the same, and for the Purpose of ascertaining the Purchase Money or Compensation to be paid for the same, and the Disposition of such Purchase Money or Compensation, all and every the statutory Enactments now in force, and enabling any Railway Company in *Ireland* to acquire Lands for the Purpose of its Undertaking, shall be deemed to be incorporated with this Act, and the said Commissioners shall be deemed the Promoters, and this Act shall be deemed the Special Act, within the Meaning of the said statutory Enactments.

Railway Companies Acts available.

5. It shall be lawful for the said Commissioners of Public Works, with the Sanction of the Lords Commissioners of Her Majesty's Treasury, to sell and convey or lease the said Canal and Undertaking, and all the Lands, Tenements, Waters, and other Matters and Things appurtenant to the same, for such Price, or, in the Case of any such Lease, for such Term of Years, at such Rent, and with or without the Payment of any Fine, and generally upon such Terms, as the said Commissioners of Public Works may think proper; and every Conveyance or Lease of the said Canal and Undertaking in pursuance of this Act shall be effectual to transfer to the Purchaser or Lessee all the Premises expressed to be thereby conveyed or demised, for all the Estate purporting to be thereby transferred, freed and discharged of all prior Estates, Charges, and Incumbrances created or suffered by the said Canal Company or their Assigns.

Commissioners may sell or demise.

6. Any such Sale and Conveyance or Lease (as the Case may be) may be made to any Person or Persons, or to any public Company which may be empowered to purchase the said Canal and Premises, or to take the same on Lease.

Sale or Lease valid.

Commissioners to possess the Powers of the Canal Company.

7. The said Commissioners of Public Works, so long as they may manage the said Canal, and every such Person or Persons or public Company as aforesaid, from and after such Purchase or Lease, and so long as the said Canal and Premises shall be vested in such Purchasers or Lessees, shall possess all the Rights, Authorities, and Privileges, and be subject to all the Liabilities, which the said Canal Company would have possessed or would have been subject to had such Canal Company continued to possess and manage the said Canal and Premises.

Application of Tolls, Rates, &c.

8. All Sums of Money received by the said Commissioners of Public Works in respect of any such Sale or Lease as aforesaid, and the Surplus of all Monies received by them for Rates, Tolls, and Profits in the Management of the said Canal, and which shall remain after defraying the current Expenses thereof, shall be applied in the first place to the Payment of all Sums due for Principal and Interest on Foot of the Advances of public Money so made to the said Canal Company in the Manner herein-before mentioned, and the Interest due thereon, and in the next place to the Payment of all Sums advanced and Expenses incurred by virtue of this Act, with Interest thereon at the Rate of Four *per Centum per Annum* from the Time such Advances shall have been made or Expenses incurred, or in such other Manner as the Lords Commissioners of Her Majesty's Treasury may from Time to Time direct.

Enactments in 1 & 2 W. 4. c. 33. extended to this Act.

9. And be it enacted, That the several Enactments contained in an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, which affect or relate to any Action or Suit to be commenced against the Commissioners for the Execution of the last-recited Act, or any Person or Persons, for anything done by virtue of or in pursuance of the last-recited Act, or any Proceedings in any such Action or Suit, or any Limitation of Time for the Commencement thereof, or any Costs thereof, or any Evidence to be given therein, or any Notice of Action or Suit, or Satisfaction or Tender thereof, or any Action or Suit to be commenced by the said Commissioners, or any Proceedings therein, or any Abatement or Discontinuance of any such Action or Suit, or to the Court in which, or to the Terms or Conditions on which, any such Action or Suit shall be brought against the said Commissioners, collectively or individually, shall, so far as the same are applicable, be held to apply to and extend to any Action or Suit to be commenced against the Commissioners of Public Works in *Ireland*, or any

any Person or Persons, for anything done by virtue of, or in pursuance of, or on account of this Act, or to any Proceedings in or relating to any such Action or Suit.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. CX.

An Act to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the *Hastings* District.

[5th *July* 1865.]

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made a certain Provisional Order which is contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Order shall be of any Validity whatever until it shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Order in Schedule confirmed.

1. The Provisional Order contained in the Schedule hereunto annexed shall, from and after the passing of this Act, so far as it is authorized by the Local Government Act, 1858, and the Acts incorporated therewith, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

2. This

Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865" (No. 4).

SCHEDULE of Provisional Order referred to in the preceding Act.

HASTINGS—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Hastings Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.

HASTINGS.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Hastings Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Hastings in the County of Sussex, by the Council of the said Borough, being the Local Board of Health in and for the District of Hastings in the said Borough, to which the Public Health Act, 1848, has been duly applied, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land for the purpose of widening and otherwise improving the road in the said Borough known as Ore Lane, and shown on the plan accompanying such Petition, such land and buildings being all situate within the District of the said Local Board.

AND WHEREAS the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, and the names of the owner, lessees, and occupiers of the aforesaid land,

land, who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such lands, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed ROBERT MORGAN, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Hastings, by the Council of the said Borough, being the Local Board of Health for the District of Hastings in that Borough, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-first day of January One thousand eight hundred and sixty-five.

(Signed) G GREY.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following:—

Description of Land	Owner	Occupiers
All those Pieces or Parcels of Arable and Pasture Land and Brickyard, containing 3 Roods 14¼ Perches, or thereabouts, in the Parish of St. Mary in the Castle and Ore in Hastings, particularly described and delineated in the Plan accompanying the Local Board of Health's Petition.	Charles Hay Frewen, Esq., of Coghurst Hall near Hastings.	John Howell. Alfred Banks. Edmund Chapman. Henry Phillips. James Field.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. CXI.

An Act to regulate the Disposal of Money and Effects under the Control of the Admiralty, belonging to deceased Officers, Seamen, and Marines of the Royal Navy and Marines, and other Persons. [5th *July* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as The Navy and Marines (Property of Deceased) Act, 1865. Short Title.

2. In this Act— Interpretation of Terms.

The Term "the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral:

The Term "Officer" means a Commissioned, Warrant, or Subordinate Officer, or Assistant Engineer, in Her Majesty's Naval or Marine Force:

The Term "Seaman or Marine" means a Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, or other Person forming Part, in any Capacity, of the Complement of any of Her Majesty's Vessels, or otherwise belonging to Her Majesty's Naval or Marine Force (not being an Officer within the Meaning of this Act), or a Petty Officer or Man of the Royal Naval Reserve or Naval Coast Volunteers:

The Term "Representation" includes Probate and Letters of Administration, with or without Will annexed:

The Term "Representative" means any Person taking out Representation:

The Term "Person" includes a Corporation.

Residue belonging to deceased Officers, Seamen, or Marines.

3. On the Death of any Person being or having been an Officer, Seaman, or Marine, the Amount (if any) to the Credit of the Deceased in the Books of the Admiralty, in respect of Sale of Effects, Arrears of Pay, Wages, Prize Money, Bounty Money, Grants, or other Allowances in the Nature thereof, or other Money payable by the Admiralty (which Amount is hereafter in this Act, with reference to every such Case, called the Residue), shall be disposed of according to the Provisions of this Act.

Residue belonging to deceased Persons in Civil Service of Navy.

4. On the Death of any Person being or having been employed in any of Her Majesty's Dockyards or other Naval Establishment, or in any of the Civil Departments of the Navy, or entitled to an Allowance from the Compassionate Fund, or of any Widow entitled to a Pension on the Establishment of the Navy, the Amount (if any) due by the Admiralty (which Amount is hereafter in this Act, with reference to every such Case, called the Residue), shall be disposed of according to the Provisions of this Act.

Residue exceeding 100*l.* to be paid to Representative.

5. Where the Residue exceeds One hundred Pounds the Admiralty shall dispose thereof by paying it to the Representative of the Deceased.

Residue not exceeding 100*l.* to be paid to Representative, if any.

6. Where the Residue does not exceed One hundred Pounds it shall not be necessary for any Purpose that Representation to the Deceased be taken out; but in any Case the Admiralty may, if they think fit, require Representation to be taken out, and, if on that Requisition or otherwise, Representation is taken out, then the Admiralty shall dispose of the Residue by paying it to the Representative.

Power to require Certificate, &c. before Representation.

7. In the Case, nevertheless, of a Seaman or Marine, the Admiralty shall not be bound to pay the Residue (whatever be its Amount) to the Representative of the Deceased, if Representation has been taken out either by a Creditor as such, or by any Person without such Certificate respecting the Title to Representation having been first obtained from the Admiralty, or such other Regulations or Conditions having been duly observed or performed, as is or are prescribed by Order in Council; and in any such Case the Admiralty shall dispose of the Residue in pursuance of this Act as if Representation had not been taken out.

Residue not exceeding 100*l.*, and no Representation, Power to pay it to Widow, &c.

8. Where the Residue does not exceed One hundred Pounds, and Representation is not taken out, then, subject to the other Provisions of this Act, the Admiralty shall, as soon as may be, dispose of the Residue as follows:—

(1.) They shall, if they think fit, pay the Residue to any Person showing herself or himself to their Satisfaction to be entitled to take out Representation to the Deceased (otherwise than as a Creditor)—to the end that the Residue may

may be applied by the Person to whom it is so paid in a due Course of Administration; and the same shall be so applied accordingly (for which Application the Admiralty may require such Security as they think fit):

(2.) Or else the Admiralty shall, if they think fit, pay to the Persons (if any) beneficially interested in the Residue their respective Shares thereof:

(3.) And in Cases where the foregoing Provisions of the present Section do not apply, and the Amount of the Residue appears to the Admiralty insufficient to cover the Expense of Representation, the Admiralty shall dispose of the Residue in manner prescribed by Order in Council.

Admiralty not bound to pay to Nominee of Representative.

9. In the Case of a Seaman or Marine, the Admiralty shall not pay the Residue or any Part thereof to any Nominee of the Representative of the Deceased or of a Person entitled to take out Representation to the Deceased, whether such Nominee be appointed by Power of Attorney or otherwise, unless in special Circumstances it appears to the Admiralty safe and proper to make such Payment to any such Nominee.

Admiralty not to dispose of Residue for Three Months, &c.

10. Notwithstanding anything in this Act, the Admiralty shall not in any Case dispose of the Residue or any Part thereof otherwise than by paying the same to the Representative of the Deceased, until after the Expiration of Three Months from the Receipt by the Admiralty of Notice of the Death, unless in special Circumstances it appears to the Admiralty safe and proper to dispose of the Residue or any Part thereof at an earlier Time.

Provision for Payment of Debts out of Residue.

11. In the Case of a Seaman or Marine, where Representation is not taken out, the Admiralty shall before disposing of the Residue or any Part thereof satisfy out of the Residue (as far as the same will extend) any Debt of the Deceased of which they have Notice, subject to the following Conditions:

First.—That the Debt accrued due within Three Years before the Death:

Second.—That Payment of it is claimed within Two Years after the Death:

Third.—That the Claimant proves the Debt to the Satisfaction of the Admiralty:

Fourth.—That Six Months have elapsed from the Receipt by the Admiralty of Notice of the Death, and no Person has shown herself or himself to the Satisfaction of the Admiralty to be entitled to take out Representation to the Deceased.

In any such Case, any Person claiming to be a Creditor of the Deceased shall not be entitled to obtain Payment of his Debt out of any Money being under this Act in the Hands of the Admiralty by any Means or Proceeding whatever except by means of a Claim lodged with the Admiralty and Proceedings thereon under and according to this Act.

Saving for existing Claims.

12. Nothing in this Act shall prejudicially affect the Claim of any Creditor in respect of a Debt incurred before the Commencement of this Act.

13. The

Provision as to unsold Effects, &c.

13. The Provisions of this Act relative to the Residue, in the Case of a deceased Officer, Seaman, or Marine, shall extend and apply, *mutatis mutandis*, to unsold Effects and Money (if any) in charge of the Admiralty.

Disposal of Medals and Decorations.

14. Medals and Decorations belonging to an Officer, Seaman, or Marine dying on Service shall not be considered as comprised in the Personal Estate of the Deceased with reference to the Claims of Creditors, or for any of the Purposes of Administration under this Act or otherwise; and, notwithstanding anything in this or any other Act, the same shall be held and disposed of according to Regulations prescribed by Order in Council.

Exemptions from Duty.

15. Where the Residue does not exceed One hundred Pounds and is administered and disposed of under this Act without Representation being taken out, it shall not be liable to the Payment of any Duty; and if in any Case the Admiralty under this Act require Security by Bond for the Application of a Residue in due Course of Administration, the Bond shall be exempt from Stamp Duty where an ordinary Administration Bond relative to the same Residue would be so exempt; but this Provision shall not affect any Exemption from Duty existing independently hereof.

Validity of Payments, Sales, &c. under this Act.

16. Every Payment or Application of Money, and every Sale or other Disposition of Property, made by the Admiralty in pursuance of this Act, or of any Order in Council for carrying this Act into effect, shall be good and valid as against all Persons whomsoever; and the Admiralty shall be by virtue of this Act absolutely discharged from all Liability in respect of the Money or other Property so paid, applied, or disposed of.

Her Majesty may make Orders in Council.

17. Her Majesty in Council may from Time to Time make such Orders in Council as seem meet for the better Execution of any of the Purposes of this Act.

Orders in Council to be published in the London Gazette.

18. Every Order in Council under this Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within Thirty Days after the making thereof if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament.

Commencement of Act.

19. This Act shall commence on such Day, not later than the First Day of *January* One thousand eight hundred and sixty-six, as Her Majesty in Council thinks fit to direct.

Any Order in Council for the better Execution of any of the Purposes of this Act may nevertheless be made before that Day, but not so as to commence before it.

LONDON:

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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or Invalidity of any Thing done or suffered, or any Right, Title, Obligation, or Liability accrued, before the Commencement of this Act; nor shall this Act interfere with the Institution or Prosecution of any Proceeding in respect of any Offence committed against or any Penalty or Forfeiture incurred under any Enactment hereby repealed.

Commencement of Act.

2. This Act shall commence on such Day, not later than the First Day of *January* One thousand eight hundred and sixty-six, as Her Majesty in Council thinks fit to direct; nevertheless Her Majesty in Council may, if it seems fit, with reference to any Places out of the United Kingdom, direct that this Act do not, in respect of the Repeal of any of the Enactments in the Schedule described, commence there, respectively, until a Time after that Day, and with respect to every such Place the Time so appointed shall be deemed the Time of Commencement of this Act.

Publication of Orders in Council.

3. Every Order in Council under this Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within Thirty Days after the making thereof if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament.

Short Title.

4. This Act may be cited as "The Admiralty, &c. Acts Repeal Act, 1865."

SCHE-

SCHEDULE.

ENACTMENTS REPEALED.

9 & 10 Will. 3. c. 41. (9 Will. 3. c. 41. in The Statutes of the Realm.)	An Act for the better preventing the Imbezlement of His Majesty's Stores of War, and preventing Cheats, Frauds, and Abuses in paying Seamen's Wages.
4 Ann. c. 16. (4 & 5 Ann. c. 3. in The Statutes of the Realm) in part.	An Act for the Amendment of the Law and the better Advancement of Justice - - - - - - - - - - in part, namely, Section Twenty-six.
9 Geo. 3. c. 30.	An Act for repealing so much of an Act passed in the Tenth Year of Her late Majesty Queen Anne as relates to the Harbour Moorings of the Royal Navy, and for the more effectual Preservation of such Moorings, and Punishment of Persons guilty of stealing or embezzling Her Majesty's Naval Stores, or of Forgery or Perjury in relation to Seamen's Wages.
54 Geo. 3. c. 159. in part.	An Act for the better Regulation of the several Ports, Harbours, Roadsteads, Sounds, Channels, Bays, and navigable Rivers in the United Kingdom, and of His Majesty's Docks, Dockyards, Arsenals, Wharfs, Moorings, and Stores therein; and for repealing several Acts passed for that Purpose - - - in part, namely, Sections Two to Nine and Seventeen to Twenty (all inclusive).
57 Geo. 3. c. 118.	An Act for authorizing the Executors or Administrators of deceased licensed Navy Agents to receive Prize Money, Bounty Money, and other Allowances of Money upon Orders given to such deceased Agents.
59 Geo. 3. c. 56.	An Act to make further Regulations as to the Payment of Navy Prize Orders.
59 Geo. 3. c. 59.	An Act to extend the Provisions of an Act made in the Fifty-fifth Year of His present Majesty, for the Payment of Wages due to deceased Seamen and Marines, to Wages due to intestate Bastards.
1 Geo. 4. c. 85.	An Act to make further Provisions respecting Naval Prize Money.
1 & 2 Geo. 4. c. 93.	An Act for vesting all Estates and Property occupied by or for the Naval Service of this Kingdom in the Principal Officers and Commissioners of His Majesty's Navy, and for granting certain Powers to the said Principal Officers and Commissioners.
10 Geo. 4. c. 26. in part.	An Act for transferring the Management of Greenwich Out-Pensions and certain Duties in Matters of Prize to the Treasurer of the Navy - - - - - - - in part, namely, Sections Eleven, Thirteen, Fourteen, and Thirty-two.
11 Geo. 4. & 1 Will. 4. c. 20. in part.	An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy - - - - - - - :— Except Section Eighty.
11 Geo 4. & 1 Will. 4. c. 41. in part.	An Act to make further Regulations with respect to Army Pensions - - - - - - - - - in part, namely, Section Three as far as relates to Naval or Marine Pensions.
2 & 3 Will. 4. c. 40. in part.	An Act to amend the Laws relating to the Business of the Civil Department of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Department - :— Except Sections One, Five, Six, and Seven.
4 & 5 Will. 4. c. 25.	An Act to alter and amend the Provisions of an Act passed in the Eleventh Year of the Reign of His late Majesty King George the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy.

Admiralty, &c. Acts Repeal.

5 & 6 Will. 4. c. 24. in part.	An Act for the Encouragement of the voluntary Enlistment of Seamen and to make Regulations for more effectually manning Her Majesty's Navy - - - - - - - Section Seven.	in part, namely,
7 Will. 4. & 1 Vict. c. 26. in part.	An Act for the Amendment of the Laws with respect to Wills: in part, namely, Section Twelve.	
5 Vict. c. 3. -	An Act to alter an Act of the Eleventh Year of King George the Fourth, for amending the Laws relating to the Pay of the Royal Navy, and an Act of the Fifth Year of King William the Fourth, to alter the Provisions of the said Act.	
6 & 7 Vict. c. 58.	An Act to enable Her Majesty to acquire Lands for the Enlargement of Her Majesty's Dockyards and for other Naval Purposes.	
13 & 14 Vict. c. 62.	An Act to alter and extend an Act passed in the Eleventh Year of King George the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy.	
15 & 16 Vict. c. 46.	An Act to amend an Act of the Eleventh Year of King George the Fourth for amending and consolidating the Laws relating to the Pay of the Royal Navy.	
16 & 17 Vict. c. 69. in part.	An Act to make better Provision concerning the Entry and Service of Seamen, and otherwise to amend the Laws concerning Her Majesty's Navy - - - - - - - Sections Three, Eleven, and Nineteen.	in part, namely,
17 & 18 Vict. c. 19. in part.	An Act for facilitating the Payment of Her Majesty's Navy, and the Payment and Distribution of Prize Bounty, Salvage, and other Moneys to and amongst the Officers and Crews of Her Majesty's Ships and Vessels of War, and for the better Regulation of the Accounts relating thereto - - - Section Thirteen.	in part, namely,
26 & 27 Vict. c. 30.	An Act to authorize further Harbour Regulations for the Protection of Her Majesty's Ships, Dockyards, and Naval Stations.	

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

COLONIAL SECRETARIAT
HARYANA

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CAP. CXIII.

An Act to authorize the Payment of Retiring Pensions to Colonial Governors. [5th *July* 1865.]

WHEREAS it is expedient that Retiring Pensions should be granted in certain Cases to Officers who have administered the Government of Her Majesty's Colonial Possessions: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. In this Act the Term "Colony" includes any Plantation, Island, or other Possession within Her Majesty's Dominions, exclusive of the United Kingdom of *Great Britain* and *Ireland*, and of the Islands being immediate Dependencies thereof, and exclusive of *India* as defined by the Act of Parliament of 1858 "for the "better Government of *India*." Definition of "Colony."

2. The full Rate of Pension herein-after referred to shall be as follows, that is to say: Full Rate of Pension as herein stated.

In the Case of Officers who shall for at least Four Years have administered the Government of any Colony or Colonies in which the Salary of the Governor is not less than Five thousand Pounds, One thousand Pounds:

In the Case of Officers who shall for at least Four Years have administered the Government of any Colony or Colonies in which the Salary of the Governor is not less than Two thousand five hundred Pounds, Seven hundred and fifty Pounds:

In the Case of Officers who shall for at least Four Years have administered the Government of any Colony or Colonies in which the Salary of the Governor is not less than One thousand two hundred Pounds, Five hundred Pounds:

In other Cases, Two hundred and fifty Pounds.

Reduced Rate.

3. The reduced Rate of Pension herein-after referred to shall in all Cases be Two Thirds of the full Rate.

When full Rate may be granted.

4. One of Her Majesty's Principal Secretaries of State may, by Writing under his Hand, grant the full Rate of Pension to any Person who, being of the Age of Sixty, shall have administered the Government of any Colony or Colonies for Periods amounting in the whole to Eighteen Years, or who, being of the Age aforesaid, shall have administered such Government or Governments for Periods amounting in the whole to Ten Years, and shall have been employed in the whole either in such Administration or in the permanent Civil Service of Her Majesty, for Periods amounting in the whole to Twenty-five Years, or to any Person who, having administered such Government or Governments for Periods amounting in the whole to Fifteen Years, shall have established, to the Satisfaction of such Secretary of State, that he is incapable, from Infirmity of Mind or Body contracted while administering his Government, of discharging the Duties of any Office in the Public Service, and that such Infirmity is likely to be permanent.

When reduced Rate may be granted

5. Such Secretary of State may, by such Writing as aforesaid, grant the reduced Rate of Pension to any Person being of the Age of Sixty, who, after having attained the Age of Forty, shall have administered the Government of any Colony or Colonies for Periods amounting in the whole to Twelve Years, or to any Person being of the Age of Sixty, who, after having attained the Age of Forty, shall have administered such Government or Governments for Periods amounting in the whole to Eight Years, and shall have been employed in the whole, either in such Administration or in the permanent Civil Service of Her Majesty, for Periods amounting in the whole to Twenty Years, or to any Person who, having administered such Government or Governments for Periods amounting in the whole to Ten Years, shall have established to the Satisfaction of such Secretary of State that he is incapable, from Infirmity of Mind or Body contracted while administering his Government, of discharging the Duties of any Office in the Public Service, and that such Infirmity is likely to be permanent.

6. No

6. No Person whose Claim to a Pension under the Provisions of this Act is founded in part upon his Employment in the permanent Civil Service of Her Majesty shall be entitled to claim a Superannuation Allowance, in respect of the same Employment, under the Provisions of any other Act of Parliament.

Permanent Civil Service not to be counted under this or any other Act.

7. In case any Person to whom a Pension shall have been granted under the Provisions of this Act shall be or become entitled to any Half Pay, Salary, or other Emolument from any Public Revenue raised, or in respect of any Public Services performed, within Her Majesty's Dominions, his Pension shall be reduced by Half the Amount of such Half Pay, Salary, or Emolument.

Deductions from Pension on account of Half Pay, &c.

8. In case any Person to whom a Pension shall have been granted under the Provisions of this Act shall, by reason of his Re-employment, become eligible for any higher Rate of Pension than that already granted him, One of Her Majesty's Principal Secretaries of State may, by such Writing as aforesaid, grant to him such higher Rate of Pension.

Advancement to higher Rates of Pension.

9. In case any Person, having administered the Government of any Colony and not being of the full Age of Sixty, shall be called upon by Her Majesty to administer the Government of any Colony not being of a lower Class than that on which his Rate of Pension has been, or in case of his Retirement on reaching the Age of Sixty would be calculated, and not being incapable from Infirmity of Mind or Body of administering such Government, shall refuse to administer the same; or if any such Person, not being of the full Age of Sixty-five, shall relinquish such Government without the Permission of Her Majesty, or shall neglect or decline to execute the Duties thereof satisfactorily, the said Secretary of State may by Writing under his Hand declare that such Person has forfeited all Claim to any Pension under this Act, and such Claim shall thereupon be forfeited accordingly.

Person receiving Pension bound to accept Employment till of Age of Sixty;

not to relinquish it till Sixty-five.

10. In case any Person shall have administered the Government of any Colony or Colonies, and shall have likewise been employed in the permanent Civil Service of Her Majesty, but shall not have become entitled to any Pension under the preceding Clauses of this Act, the Number of Years passed in the Government of such Colony or Colonies shall, for the Purpose of computing any Superannuation Allowance to be granted to such Person under the Superannuation Act, 1859, be taken to have been passed in the permanent Civil Service of Her Majesty, and at the Rate of Salary last received by such Person in respect of his Employment in such permanent Civil Service.

As to Pension of Person also employed in Civil Service.

11. Any

What to be deemed Employment in Civil Service.

11. Any Person claiming a Pension shall, for the Purposes of this Act, be taken to have been employed in the permanent Civil Service of Her Majesty while holding any Office which at the Time of his claiming such Pension would entitle the Holder thereof to Superannuation Allowance under the Superannuation Act, 1859.

Secretary of State to determine when an Officer is in Administration of Government.

12. One of Her Majesty's Principal Secretaries of State may, with the Consent of the Lords Commissioners of the Treasury, from Time to Time determine under what Conditions and to what Extent any Officer shall be deemed for the Purposes of this Act to have been administering the Government of any Colony while administering the same provisionally, or while absent from his Government with Permission of Her Majesty; and for the Purposes of this Act the Commission issued under the Great Seal of the Territory of *New South Wales* for the Government of the District of *Port Phillip* shall be taken to have constituted that District a Colony.

Statement of Pensions to be laid before Parliament.

13. All Pensions granted under this Act shall be paid out of such Monies as Parliament may provide for the Purpose, and a Statement of all such Pensions shall be laid annually before Parliament.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. CXIV.

An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Eastbourne, Clevedon, Herne Bay, Llandrillo,* and *Pensarn.* [5th *July* 1865.]

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas the Board of Trade have made certain Provisional Orders: And whereas those Orders have been amended by Parliament, and are as so amended set out in the Schedule: And whereas it is expedient that the Orders so set out in the Schedule hereto be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and, by the Authority of the same, as follows:

1. The Orders set out in the Schedule hereto shall be and are hereby confirmed, and all the Provisions thereof in manner and form Orders set out in Schedule confirmed.

form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force.

Short Title. 2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1865, (No. 2.)

The SCHEDULE of Orders.

1. EASTBOURNE.
2. CLEVEDON.
3. HERNE BAY.
4. LLANDRILLO.
5. PENSARN.

SCHE-

SCHEDULE to which the foregoing Act refers.

EASTBOURNE.

Order for the Amendment of The Eastbourne Pier Order, 1864.

1. Section 5 of the Eastbourne Pier Order, 1864, (hereafter in this Order called the Order of 1864,) is hereby repealed. Repeal of description of pier in former Order.

2. The works authorized by this Order comprise the following: Description of pier.

A pier on iron piles commencing at a point on the esplanade opposite Cavendish Place in the town of Eastbourne in the parish of Eastbourne in the county of Sussex, and extending seaward in a south-easterly direction one thousand feet or thereabouts.

3. This Order shall be construed with the Order of 1864 as One Order, and may be cited as The Eastbourne Pier Amendment Order, 1865; and the Order of 1864 and this Order may be cited together as The Eastbourne Pier Orders, 1864 and 1865. Construction and short titles.

CLEVEDON.

Order for the Amendment of The Clevedon Pier Order, 1864.

1. Sections 16 to 19 (inclusive) of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be and shall not be deemed to have been incorporated with the Clevedon Pier Order, 1864 (hereafter in this Order called the Order of 1864). Company need not provide lifeboat, or tide gauge, &c.

2. As soon as it is certified under the hand of a person appointed by the Board of Trade for the purpose that the Clevedon Pier Company (hereafter in this Order called the Company) have constructed and so far completed any portion of the pier and works authorized by the Order of 1864 as to afford convenient accommodation for the landing and embarking of passengers and goods (although the whole of the pier has not then been completed), the Company may demand and receive the rates which under the Order of 1864 they are entitled to take. Commencement of rates.

3. The powers given to the Company by The Harbours, Docks, and Piers Clauses Act, 1847, of making byelaws are hereby extended so as to authorize the making by the Company from time to time of byelaws for all or any of the following purposes, namely,— Power to make byelaws as to articles in Schedules.

1. For prohibiting the articles mentioned in the First Schedule hereto, or any of them, from being landed on, or embarked from, or deposited on the pier at any time;

2. For

2. For prohibiting the articles mentioned in the Second Schedule hereto, or any of them, from being led, carried, or drawn along or deposited on the pier on any day between ten of the clock in the forenoon and one hour after sunset:

3. For prohibiting the articles mentioned in the Third Schedule hereto, or any of them, from being led, carried, or drawn along or deposited on the pier on any day from the first day of March to the thirty-first day of October, both inclusive, between ten of the clock in the forenoon and one hour after sunset.

Construction and short titles.

4. This Order shall be construed with the Order of 1864 as One Order, and may be cited as The Clevedon Pier Order, 1865; and the Order of 1864 and this Order may be cited together as The Clevedon Pier Orders, 1864 and 1865.

The FIRST SCHEDULE to which the foregoing Order refers.

Articles which may be altogether prohibited.

Ashes.
Blubber.
Bulls.
Cattle.
Corpses.
Gunpowder.
Hides.
Lime.
Manure, either natural or artificial.
Minerals, or other substances containing oxide of iron.
Ores.
Oxen.
Pigs.
Pitch and tar.
Sheep.
Rags and old rope.
Vitriol; and
All other articles of an offensive or dangerous character, or which in the judgment of the Company may interfere with the comfort of passengers, or the use of the pier for recreation.

The SECOND SCHEDULE to which the foregoing Order refers.

Articles which may be prohibited between 10 a.m. and one hour after sunset.

Clay.
Coal of any description, including anthracite.
Coke.
Culm.
Fish (dried and salted).
Limestone.
Oilcake.
Oils.
Paint.
Spars.
Stones.
Tallow, soap and candles; and
All other articles which by their substance or smell are likely to cause annoyance to passengers or promenaders using the pier.

The

The THIRD SCHEDULE to which the foregoing Order refers.

All articles, merchandise or goods whatsoever, except the following things, namely:—

Passengers' luggage, including carriages, horses, and dogs.
Fresh fish.
Fruits.
Fresh butter.
Eggs.
Milk.
Poultry and game, including hares and rabbits.
Mail bags or boxes.
Soldiers' arms or accoutrements.

Articles which may be prohibited between 10 a.m. and one hour after sunset from 1st March to 31st October.

HERNE BAY.

Order for the Improvement, Maintenance, and Regulation of the Pier at Herne Bay in the Parish of Herne in the County of Kent.

1. The Herne Bay Pier Company (hereafter in this Order called the Company) may take down and abandon such portion of the northern or seaward end of the Herne Bay Pier as is distinguished on the plan deposited for the purposes of this Order with the Clerk of the Peace for the County of Kent by a yellow colour, and may apply the materials of that portion in or towards repairing the southern or landward portion of the Pier, and may sell or otherwise dispose of so much of those materials as is not used for that purpose, and shall apply the money arising thereby in or towards the maintenance or repair of the portion of the Pier to be retained or of other works of the Company.

Power to take down part of pier.

2. Notwithstanding anything in or done under this Order, the Company may demand and receive the tolls, rates, and dues which, under the Acts described in the Schedule to this Order (hereafter in this Order called the Company's Acts), they are authorized to demand and receive, as if this Order had not been made, or the Pier had not been in part taken down and abandoned.

Tolls.

3. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the Pier, and not breaking bulk while making use thereof, be exempt from the tolls, dues, and rates aforesaid.

Certain fishing vessels under stress of weather exempt from rates.

4. In addition to the sums which the Company are already authorized to borrow, they may, from time to time, borrow on mortgage any sum or sums of money not exceeding in the whole the sum of 2,000*l.*

Additional power to borrow.

5. The provisions of The Companies Clauses Consolidation Act, 1845 with respect to the borrowing of money by the Company on mortgage or bond, are hereby incorporated with this Order; and notwithstanding anything in the Company's Acts, those provisions exclusively shall have effect with respect to the borrowing of money by the Company under this Order; and in the construction of those provisions in connexion with this Order the term "the Company" therein used shall have the same meaning as in this Order, and the term "the Special Act" shall mean this Order.

Incorporation of part of 8 & 9 Vict. c. 16.

6. The sums from time to time borrowed under this Order, and all interest thereon, shall constitute a preference debt of the Company, and shall be a first charge on the undertaking, lands, and property of the Company, and on the tolls,

Preference Debt.

tolls, rates, and dues leviable by them, in priority to all money owing by the Company at the time of the confirmation of this Order, whether for money borrowed or interest accrued due thereon or otherwise, and in priority to all interest to accrue due on any such money; but such first charge shall not affect the power of the Company to apply money received from tolls, rates, and dues in or towards the maintenance, management, and regulation of the Pier and other works.

Rate of interest.

7. The interest payable in respect of any money borrowed under this Order shall not exceed the rate of 10 per centum per annum.

Receiver.

8. The mortgagees of the Company under this Order may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their respective mortgages, by the appointment of a receiver, and the amount to authorize a requisition for a receiver shall be 200*l.*

Application of money borrowed.

9. The Company may from time to time, out of money borrowed under this Order, apply any sum or sums, not exceeding in the whole the sum of 200*l.*, in the payment of a portion of the expenses incurred by them since the closing of the Pier, and in repayment of sums advanced to them for meeting other such expenses, and may out of money borrowed under this Order pay the expenses of and preliminary and incidental to the preparation of, application for, and obtaining of this Order; and, subject thereto, all money borrowed under this Order shall be applied exclusively for the purposes of the works authorized by this Order.

Saving for Acts.

10. Save as herein-after provided, nothing in this Order shall prejudicially affect any of the rights, powers, or privileges of the Company under the Company's Acts, or either of them.

For protection of Herne Bay, &c. Oyster Fishery Company.

11. If the Herne Bay Pier Company take down or abandon any part of the northern end of their Pier, then and thereafter the provisions following in favour of the Herne Bay, Hampton, and Reculver Oyster Fishery Company, whose oyster grounds adjoin the Pier to the eastward, northward, and westward, shall have effect; that is to say,

(*a*) The powers and authorities of the Pier Company shall be exerciseable with respect to vessels employed for the purposes of the Oyster Fishery Company only where the vessels are within a distance of two hundred yards from some part of the Pier left standing:

(*b*) The Pier Company shall not exercise or enforce any of their powers or rights under sections 89, 94, and 96 of the Company's Act firstly mentioned in the Schedule hereto, or under section 32 of the Company's Act secondly mentioned in the said Schedule, so as to interfere with any of the oyster beds of the Oyster Fishery Company, or with any of the operations of or so as in any other way to prejudice that Company beyond the aforesaid limits of two hundred yards:

(*c*) Provided that the Oyster Fishery Company shall not do anything whereby the approach or departure of vessels, boats, or other craft to or from the Pier shall be prevented or obstructed:

(*d*) If and whenever any difference arises between the two Companies as to the performance or observance of this section, every such difference shall be determined by an arbitrator, to be, on the application of the two Companies or either of them, named for the purpose by the Board of Trade.

Short title.

12. This Order may be cited as The Herne Bay Pier Order, 1865.

The

The SCHEDULE to which the foregoing Order refers.

1 Will. 4. c. xxv. - An Act for making and maintaining a Pier or Jetty or other Works at Herne Bay in the Parish of Herne in the County of Kent.

6 & 7 Will. 4. c. cxii. - An Act for altering, amending, and enlarging the Powers and Provisions of an Act for making and maintaining a Pier or Jetty and other Works at Herne Bay in the Parish of Herne in the County of Kent; and for giving additional Powers to the Herne Bay Pier Company.

LLANDRILLO.

Order for the Construction, Maintenance, and Regulation of a Pier at Llandrillo in the County of Carnarvon.

1. The Llandrillo Pier Company, Limited, hereafter in this Order called the Company, shall be the undertakers of the works authorized by this Order

Undertakers.

2. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Power to take specified lands by agreement.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Incorporation of Lands Clauses Acts.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Power to make works.

5. The works authorized by this Order comprise the following:—

Description of works.

A Pier, jetty, and landing place commencing opposite or near to a field called Dryll y Trwyn in the occupation of John Parry Evans (with limits of deviation laterally between a point opposite Capel St. Trillo, in a field called Cae Capel, in the occupation of the said John Parry Evans, on the north-west, and a point opposite the road leading from the shore, in the village of Llandrillo, to Colwyn and Mochdre, on the south-east), and extending in a north-easterly direction towards and below low-water mark a distance of four hundred yards or thereabouts.

6. The

Power to take rates according to Schedule.

6. The Company may demand, take, and receive in respect of the vessels, cattle, goods, merchandise, persons, and things in the Schedule hereto described any sums not exceeding the rates in the Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

7. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the Pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the Pier.

8. The Company may grant to passengers and promenaders or others pass-tickets for the use of the Pier on such terms and for such a period, not exceeding one year, as may be agreed upon, but so that no preference be given to any person; a pass-ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use; if any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the special Act); and the Company may from time to time contract with any person or body corporate, for any period not exceeding one year, for a composition or reduced payment or payments in respect of the rates in the Schedule hereto specified, or any part or parts thereof, but so that no preference be given to any such person or body corporate.

Exemption of Custom House officers from rates.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier by land, and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase for extraordinary purposes (within the meaning of The Harbours, Docks, and Piers Clauses Act, 1847,) lands exceeding in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on the Pier.

Steam engines, diving bells, lighters, &c.

12. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, and other machinery and vessels, and also such tramways and carriages, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they may think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

13. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Pier authorized by this Order.

Short title.

14. This Order may be cited as The Llandrillo Pier Order, 1865.

SCHEDULE

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS USING THE PIER.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open landing or taking on board goods, each	0	6

II.—RATES ON GOODS SHIPPED OR UNSHIPPED AT THE PIER.

Ale, beer, and porter, per hogshead	0	6
Ale, bottled, per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Beef or pork, per barrel	0	6
Biscuits or bread, per cwt.	0	3
Blubber, per tun of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand carts and perambulators, each	1	0
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bull, cows, and oxen each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	0	6
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney-pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package, not exceeding one cwt.	0	6
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Corks, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6

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	s.	d.
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh, not enumerated	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Furniture (household), per 5 cubic feet	0	4
Fruit, per bushel or sieve	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	0
Ditto, per box	0	6
Grain and seeds, per quarter	0	6
Groceries, not enumerated, per cwt.	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	4
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, ten inches in diameter and upwards, each	4	6
Ditto, under ten inches, each	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cubic feet	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6

Pier and Harbour Orders Confirmation (No. 2).

	s.	d.
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign or British), per hogshead	1	0
Ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per thousand	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	0	1
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto (bottled), per dozen bottles	0	2
Wood:		
Fir, pine, and other description not enumerated, per load of fifty feet	1	6
Oak or wainscoat, per load of fifty feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and Lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per one hundred and twenty	3	0
Oars, per one hundred and twenty	5	0
Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per one hundred and twenty	5	0
Ditto, 2½ inches in diameter and under, per one hundred and twenty	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per one hundred and twenty	9	0
Spars, above 4 and under 6 inches in diameter, per one hundred and twenty	14	0
Spokes of wheels not exceeding 2 feet in length, per one hundred and twenty	2	0
Ditto, exceeding 2 feet in length, per hundred and twenty	3	0
Ditto, treenails, per thousand	2	6
Ditto, wedges, per thousand	2	6
Pipe staves and others in proportion, per one hundred and twenty	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement on all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.		
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton	0	6

V.—Rates on Passengers landing or embarking from the Pier.

	£	s.	d.
For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	0	6
For every person who shall use the said Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	0	2
For every bath or sedan chair taken on the Pier, for each and every time any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Llandrillo, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers' Luggage landed or shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every 20 lbs. weight in addition	0	1

PENSARN (ABERGELE).

Order for the Construction, Maintenance, and Regulation of a Pier at Pensarn (Abergele) in the County of Denbigh.

1. The Pensarn (Abergele) Pier Company, Limited, hereafter in this Order called the Company, shall be the undertakers of the works authorized by this Order. Undertakers.

2. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

3. The Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, shall be incorporated with this Order. Incorporation of Lands Clauses Acts.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Power to make works.

5. The works authorized by this Order comprise the following:— Description of Pier.

A Pier or jetty (with a landing stage) commencing opposite to and below the railings on the roadside against the bridge over the Chester and Holyhead section of the London and North-western Railway near the Abergele station on that railway (with limits of deviation laterally between a point one hundred yards beyond a foot bridge over that railway on the east, and the dwelling house occupied by Mr. Edward Davies at the level crossing on tha trailway in connexion with the new road leading from the beach to the town of Abergele on the west), and extending in a northerly or north-westerly direction towards and beyond low-water mark a distance of six hundred yards or thereabouts.

6. The Company may demand and receive in respect of the vessels, cattle, goods, merchandise, persons, and things in the Schedule hereto described any sums not exceeding the rates in the Schedule specified. Power to take rates according to Schedule.

7. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the Pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order. Certain fishing vessels under stress of weather exempt from rates.

Company may contract with persons for the use of the Pier.

8. The Company may grant to passengers and promenaders or others pass-tickets for the use of the Pier on such terms and for such a period, not exceeding one year, as may be agreed upon, but so that no preference be given to any person; a pass-ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use; if any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the special Act); and the Company may from time to time contract with any person, company, or body corporate, for any period not exceeding one year, for a composition or reduced payment or payments in respect of rates, but so that no preference be given to any person, company, or body corporate.

Exemption of Custom House Officers from rates.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier by land, and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase for extraordinary purposes (within the meaning of The Harbours, Docks, and Piers Clauses Act, 1847,) lands exceeding in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on the Pier.

Steam engines, diving bells, lighters, &c.

12. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, and other machinery and vessels, and also such tramways on the Pier, and carriages, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

13. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Pier authorized by this Order.

Short title.

14. This Order may be cited as The Pensarn (Abergele) Pier Order, 1865.

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS USING THE PIER.

	s	d
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
" " 50 tons " 100 tons, "	0	8
" " 100 tons " 150 tons, "	0	10
" " 150 tons and upwards, per ton	1	0
All lighters for each trip, per ton	0	2
All boats entirely open landing or taking on board goods, each	0	6

II.—RATES ON GOODS SHIPPED OR UNSHIPPED AT THE PIER.

Ale, beer, and porter, per hogshead	0	6
Ale, bottled, per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Beef or pork, per barrel	0	6
Biscuits or bread, per cwt.	0	3
Blubber, per tun of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand carts and perambulators, each	1	0
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	0	6
Chalk, per ton	1	0
Cheese, per cwt	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, Haberdashery, &c., per package, not exceeding one cwt.	0	6
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3

	s.	d.
Corks, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh, not enumerated	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Furniture (household), per 5 cubic feet	0	4
Fruit, per bushel or sieve	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries, not enumerated, per cwt.	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	4
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, ten inches in diameter and upwards, each	4	6
Ditto, under ten inches, each	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cubic foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2

	s.	d.
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign or British), per hogshead	1	0
Ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per thousand	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	0	1
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto (bottled), per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of fifty feet	1	6
Oak or wainscoat, per load of fifty feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2¼ and under 4 inches in diameter, per 120	5	0
Ditto, 2¼ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Ditto, treenails, per 1,000	2	6
Ditto, wedges, per 1,000	2	6
Pipe staves and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement on all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2d. Weighing Machines.

	s.	d.
For goods weighed, for each ton or part of a ton	0	2

3d. Shed Dues.

	s.	d.
For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.		
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates for laying Water Mains on Pier.

	s.	d.
Water, per ton	0	6

V.—Rates on Passengers landing on or embarking from the Pier.

	£	s.	d.
For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding	0	0	6
For every person who shall use the said Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding	0	0	2
For every bath or sedan chair taken on the Pier, for each and every time any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Pensarn (Abergele), and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—RATES ON PASSENGERS' LUGGAGE LANDED OR SHIPPED

	s	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs. - - - - - -	0	2
Over 28 lbs and not exceeding 84 lbs. - - - -	0	4
„ 84 lbs. „ 112 lbs - - - -	0	5
„ 112 lbs „ 140 lbs - - - -	0	6
„ 140 lbs. „ 196 lbs. - - - -	0	7
„ 196 lbs. „ 2 cwt. - - - -	0	8
And for every 20 lbs. weight in addition - - - -	0	1

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
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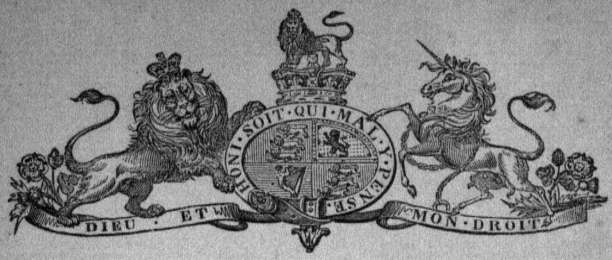

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CAP. CXV.

An Act to amend The Naval Discipline Act, 1864.

[5th *July* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. With respect to any Sentence of Penal Servitude passed after the passing of this Act under The Naval Discipline Act, 1864, Paragraph (4.) of Section Forty-nine of that Act shall have Effect as if the Words "not less than Five Years" were substituted therein for the Words "not less than Three Years." Amendment of Act of 1864 as to minimum Term of Penal Servitude.

2. This Act may be cited as The Naval Discipline Act Amendment Act, 1865. Short Title.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

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ment between the said Parish Church and the Churches of the several Ecclesiastical Districts or new Parishes which have been already assigned, constituted, or created, or which may hereafter be assigned, constituted, or created, either wholly or in part, within or out of the original Limits of the said Parish of *Rochdale*, or for otherwise dealing with such Endowment: And whereas the Vicarage of the said Parish Church is in the Patronage of the Bishop of *Manchester* for the Time being: And whereas it is expedient that no Impediment should be created to the free Action of the Legislature in making such Apportionment or other Dealing with such Endowment, by the Acquisition of vested Interests in the same by any Vicar or Incumbent who may be appointed to the said Vicarage of the Parish Church of *Rochdale* after the Date of the passing of this Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointments of future Vicars, &c. to be subject to Regulations to be hereafter enacted.

1. Every Vicar or Incumbent who shall be appointed to the Vicarage of the said Parish Church of *Rochdale* after the passing of this Act shall accept, take, and hold such Appointment subject to any Regulations or Provisions which may hereafter be enacted by the Authority of Parliament for apportioning the Endowment of the said Vicarage between the Parish Church and the Churches of the several Ecclesiastical Districts or new Parishes which have been already assigned, constituted, or created, or may hereafter be assigned, constituted, or created, either wholly or in part, within or out of the original Limits of the Parish of *Rochdale* as aforesaid, or for otherwise dealing with such Endowment.

Short Title.

2. This Act may be cited for all Purposes as "The *Rochdale* Vicarage Appointment Act, 1865."

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. CXVIII.

An Act to continue and amend the Peace Preservation (*Ireland*) Act, 1856. [5th *July* 1865.]

WHEREAS by an Act passed in the Twenty-fifth and Twenty-sixth Years of Her Majesty, Chapter Twenty-four, the "Peace Preservation (*Ireland*) Act, 1856," as the same is amended by the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and thirty-eight, was continued in force until the First Day of *July* One thousand eight hundred and sixty-four, and until the End of the then next Session of Parliament: And whereas it is expedient that the said "Peace Preservation (*Ireland*) Act, 1856," should be further amended and continued for a limited Time: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Printed Copies of every Proclamation, &c. to be issued under last-mentioned Act

1. The printed Copies of every Proclamation, Abstract, and Notice to be issued under the Provisions of the said last-mentioned Act shall be posted on or near to the Doors of all Places of public Worship and of every Police Station and Barrack within the District named in such Proclamation by some One or more of the Constables or Sub-Constables of the Constabulary Force; and as soon

to be posted, &c.

soon as may be after any Constable or Sub-Constable shall have posted any such printed Copies within such District, or any Part thereof, he shall verify such posting by a solemn Declaration annexed to such printed Copy, to be made before a Justice of the Peace in the Form or to the Effect specified in the Schedule to this Act annexed; and such Constable or Sub-Constable shall deposit such printed Copy and Declaration annexed thereto with the Clerk of the Peace for the County or County of a City within which such District or any Part thereof is situate; and the said Clerk of the Peace shall sign and date the same, and shall preserve the same amongst the Records of the said County or County of a City; and the same, when produced from the Custody of such Clerk of the Peace, shall be conclusive Evidence that the said Proclamation, Abstract, and Notice was duly posted within the District or Part of the District in said Declaration mentioned.

Production of Dublin Gazette containing Publication of any Proclamation to be conclusive Evidence of Facts, &c.

2. The Production of a printed Copy of the *Dublin Gazette*, purporting to be printed and published by the Queen's Authority, containing the Publication of any Proclamation, Warrant, Order, or Notice under the said recited Act or this Act, shall be conclusive Evidence of all such Facts and Circumstances as were or shall be necessary to authorize the issuing of any such Proclamation, Warrant, Order, or Notice; and every such Proclamation, Warrant, Order, and Notice shall be deemed and taken in all such Courts respectively, to all Intents and Purposes whatsoever, to have been issued in conformity with the said recited Act and this Act.

Sect. 1. of 23 & 24 Vict. c. 138. repealed.

3. From and after the passing of this Act the First Section of the Act passed in the Session of Parliament held in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-eight, shall be and the same is hereby repealed.

Copy of Proclamation to be laid before Parliament.

4. A Copy of every Proclamation issued under the Authority of this Act shall be laid before each House of Parliament within Fourteen Days of the Date of the same, if Parliament be then assembled, and if not then within Fourteen Days of the next subsequent meeting of Parliament.

19 & 20 Vict. c. 36., as amended by this Act, continued.

5. The "Peace Preservation (*Ireland*) Act, 1856," as the same is amended by this Act, shall be and continue in force until the First Day of *July* One thousand eight hundred and sixty-six, and until the End of the then next Session of Parliament.

SCHE-

SCHEDULE.

Form of Solemn Declaration.

I *A.B.* (Constable or Sub-Constable) do solemnly and sincerely declare, that on the Day of , and [*here insert the Dates*], I posted on or near to the Doors of all Places of Public Worship and of every Police Station and Barrack within that Part of the District named or referred to in the within (Proclamation or Notice), known and called by the Name of [*here insert Name of Barony, Half-Barony, Townland, &c.*], true Copies of the annexed (Proclamation or Notice and Abstract); and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the Sixth Year of the Reign of His Majesty King *William* the Fourth, Chapter Sixty-two, for the Abolition of unnecessary Oaths.

(Signed) *A.B.*

Made and subscribed before me this Day of , in the Year 186 .

(Signed) *C.D.*, Justice of the Peace.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

CAP. CXIX.

An Act for continuing various expiring Acts.

[5th *July* 1865.]

WHEREAS the several Acts mentioned in the First Column of the Schedule hereto are wholly, or as to certain Provisions thereof, limited to expire at the Times specified in respect of such Acts in the Fourth Column of the said Schedule: And whereas it is expedient to continue such Acts, in so far as they are temporary in their Duration, for the Times mentioned in respect of such Acts respectively in the Fifth Column of the said Schedule: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as the "Expiring Laws Continuance Act, 1865."

Continuance of Acts in Schedule.

2. The Acts mentioned in Column One of the said Schedule, and the Acts, if any, amending the same, shall, in so far as such Acts or any Provisions thereof are temporary in their Duration, be continued until the Times respectively specified in respect of such Acts in the Fifth Column of the said Schedule.

SCHEDULE.

1. Original Acts.	2. Amending Acts.	3. How far temporary.	4. Time of Expiration of temporary Provisions.	5. Continued until
3 & 4 Vict. c. 89. Poor Rates, Stock in Trade Exemption.	- - -	Whole Act -	1st October 1865, and End of then next Session. (26 & 27 Vict. c. 95.)	1st October 1866, and End of then next Session.
4 & 5 Vict. c. 59. Application of Highway Rates to Turnpike Roads.	- - -	Whole Act -	1st October 1865, and End of then next Session. (23 & 24 Vict. c. 67.)	1st October 1870, and End of then next Session.
10 Vict. c. 32. Landed Property Improvement (Ireland).	13 & 14 Vict. c. 31.	As to Powers of Commissioners.	1st January 1865, and End of then next Session. (26 & 27 Vict. c. 95.)	1st January 1866, and End of then next Session.
10 & 11 Vict. c. 90. Poor Laws (Ireland).	14 & 15 Vict. c. 68.	As to Appointment of Commissioners, &c.	23d July 1865, and End of then next Session. (27 & 28 Vict. c. 84.)	23d July 1866, and End of then next Session.
10 & 11 Vict. c. 98. Ecclesiastical Jurisdiction.	- - -	As to Provisions continued by 21 & 22 Vict. c. 50.	1st August 1865, and End of then next Session. (27 & 28 Vict. c. 84.)	1st August 1867, and End of then next Session.
11 & 12 Vict. c. 32. County Cess (Ireland).	20 & 21 Vict. c. 7.	Whole Act -	1st August 1865, and End of then next Session. (27 & 28 Vict. c. 84.)	1st August 1866, and End of then next Session.
11 & 12 Vict. c. 107. Sheep and Cattle diseased.	16 & 17 Vict. c. 62.	Whole Act -	1st August 1865, and End of then next Session. (27 & 28 Vict. c. 84.)	1st August 1866, and End of then next Session.
14 & 15 Vict. c. 104. Episcopal and Capitular Estates Management.	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124.	Whole Act -	1st January 1865, and End of then next Session. (27 & 28 Vict. c. 84.)	1st January 1866, and End of then next Session.
17 & 18 Vict. c. 117. Incumbered Estates (West Indies).	21 & 22 Vict. c. 96. 25 & 26 Vict. c. 45. 27 & 28 Vict. c. 108.	As to Appointment of Commissioners.	2d August 1865 - (27 & 28 Vict. c. 84.)	2d August 1867, and End of then next Session.
24 & 25 Vict. c. 109. Salmon Fishery (England) Act.	- - -	As to Appointment of Inspectors, s. 31.	1st October 1865 - (27 & 28 Vict. c. 84.)	1st October 1866, and End of then next Session.

Expiring Laws Continuance.

1. Original Acts.	2. Amending Acts.	3. How far temporary	4 Time of Expiration of temporary Provisions	5. Continued until
25 & 26 Vict. c. 97. Salmon Fisheries (Scotland) Act.	26 & 27 Vict. c. 50. 27 & 28 Vict. c. 118.	As to Powers of Commissioners, &c.	1st January 1866 -	1st January 1867.
26 & 27 Vict. c. 114. Salmon Fisheries (Ireland).	- - -	As to Duration of Office of the Special Commissioners for Irish Fisheries, and all Powers, Rights, and Privileges pertaining thereto.	28th July 1865, and End of then next Session.	28th July 1866, and End of then next Session.
27 & 28 Vict. c. 92. Public Schools.	- - -	Whole Act -	1st August 1865 -	1st August 1866.

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1865.

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

BENGAL SECRETARIAT LIBRARY.

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CAP. CXX.

An Act to amend the Acts relating to the Preservation and Improvement of *Harwich* Harbour.

[5th *July* 1865.]

WHEREAS it is expedient to amend in various Particulars The *Harwich* Harbour Acts, 1863 and 1864, and, among other things, to regulate the Election of a Conservator by Owners and Occupiers of Lands in the Parishes of *Mistley* and *Manningtree*, and to extend the Powers of the Conservancy Board with respect to the Purchase of and the dealing with Lands, and the Execution of Works, and to make better Provision for securing free Access to the Harbour, and for regulating the Sale and taking of Ballast, and to prohibit Acts injurious to the Navigation of the Harbour, and to make better Provision for the Regulation of Moorings and other Matters, and to authorize the taking by them of Tolls, Fees, Rates, and Dues in certain Cases:

26 & 27 Vict. c. 71.
27 & 28 Vict. c. 102.

And whereas for the Purposes of the Application for this Act there have been deposited with the Clerk of the Peace for the County of *Suffolk* and with the Clerk of the Peace for the County of *Essex* Plans and Sections of the proposed new Works, and Plans showing Lands and Houses intended to be taken for the Purposes of this Act, together with a Book of Reference to

to those Plans (which Plans, Sections, and Book of Reference respectively are in this Act referred to as the deposited Plans, Sections, and Book of Reference):

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Titles.

1. This Act may be cited as The *Harwich* Harbour Act, 1865; and this Act and The *Harwich* Harbour Acts, 1863 and 1864, may be cited together as The *Harwich* Harbour Acts, and are comprised in that Expression when hereafter used in this Act.

Construction of Act.

2. This Act shall be read and have Effect as One Act with The *Harwich* Harbour Acts, 1863 and 1864, and the Purposes of this Act shall be deemed to be comprised in the Purposes of those Acts; and all Enactments incorporated with The *Harwich* Harbour Act, 1863, shall be deemed incorporated with this Act; and Terms used in this Act have the same Meanings as in The *Harwich* Harbour Act, 1863.

Interpretation of Terms.

3. In this Act—

The Terms "High-water Mark" and "Low-water Mark" mean those Marks respectively at ordinary Spring Tides:

The Term "the Harbour" means *Harwich* Harbour.

Election to be according to this Act.

4. Notwithstanding anything in The *Harwich* Harbour Act, 1863, or in any Act therewith incorporated, the Provisions of this Act shall have Effect with respect to the Conservator elected by the Owners and Occupiers of Lands in the Parishes of *Mistley* and *Manningtree* (hereafter in this Act referred to as the Elective Conservator); and the following Sections of The Commissioners Clauses Act, 1847, (incorporated with The *Harwich* Harbour Act, 1863,) shall not have Effect with respect to that Conservator, namely, Sections Seventeen, Twenty to Twenty-three, and Twenty-five to Thirty-three (all inclusive).

Time for Elective Conservator going out.

5. The Elective Conservator in Office at the passing of this Act shall remain in Office until the First *Thursday* in *August* One thousand eight hundred and sixty-six, and shall then go out of Office; and every Elective Conservator elected after the passing of this Act shall go out of Office on the First *Thursday* in *August* in the Year following his Election; and in every Instance the Place of the outgoing Elective Conservator shall be supplied by the Election of another Conservator.

6. For

6. For the Purposes of every such Election a Meeting of the Persons entitled to vote thereat shall be held on the First *Thursday* in *August* in each Year, at such Place, within One of the Parishes of *Mistley* and *Manningtree*, as the Conservancy Board from Time to Time direct; of which Meeting, and of the Time and Place thereof, and of the Time for the taking of the Poll thereat (in case a Poll is demanded), public Notice shall be given by the Clerk of the Conservancy Board by Placard affixed on the principal Doors of the Parish Churches of the Parishes of *Mistley* and *Manningtree*, or other public Places in those Parishes, Seven clear Days at least before the Day of Election; and at that Meeting the Election of a Conservator shall be made. Time for annual Election.

7. The Chairman of the Conservancy Board, or in his Absence such other of the Conservators as the Chairman, by Writing under his Hand, appoints, or the Clerk or another Officer of the Conservancy Board so appointed, shall be the Returning Officer for such Election. Returning Officer.

8. The Election shall be made by the Majority of Votes of the Electors present at the Place of Election at or within the Time appointed for the Election, or (in case a Poll is demanded) at or within the Time appointed for the taking of the Poll. Mode of Election.

9. In case for any Reason on any Occasion the Electors fail to elect a Conservator in conformity with this Act, the Conservancy Board shall, within One Month after such Failure, appoint a Person to fill the Place of Elective Conservator. Every such Appointment shall be made at a Meeting, Notice whereof shall be given in manner required for Special Meetings. Every Person so appointed shall for the Purposes of the *Harwich* Harbour Acts in all respects be as if he had been elected by the Electors instead of being so appointed. Appointment in case of Failure to elect.

10. Any Act of the Conservancy Board shall not be invalidated or be illegal by reason of any Failure or Omission on any Occasion to elect or appoint any Conservator, or by reason of any other Irregularity, Error, Failure, or Omission in or about any Election or Appointment, or in or about any Matter preliminary or incidental thereto. Error, &c. in Election not to vitiate Acts done.

11. The Conservancy Board may hold their Meetings at such Times and Places as they from Time to Time think fit. Time and Place of Meetings.

12. The Conservancy Board may allow to the Conservators respectively their reasonable travelling Expenses incurred in attending Allowance of travelling Expenses.

attending Meetings of the Board, or otherwise in the Execution of their Duties.

Power to take specified Lands.

13. The Conservancy Board may purchase, enter on, and take all or any of the Lands described in the deposited Plans and Book of Reference.

Power to dispose of Lands.

14. Notwithstanding anything in The *Harwich* Harbour Act, 1863, or in this Act, or in any Act incorporated therewith respectively, the Conservancy Board may at any Time and from Time to Time sell, demise, or otherwise dispose of any Lands vested in them for such Estates, Terms, or Interests, for or at such Considerations or Rents, and subject to such Covenants, Conditions, and Stipulations, as they think fit; but before the Conservancy Board make any such Sale or any such Demise for a Term exceeding Twenty-one Years, or any other Disposition of Lands for the Time being unbuilt on, they shall proceed, as nearly as may be, as Promoters of an Undertaking are required to proceed by Section 128 and the Three following Sections of the Lands Clauses Consolidation Act, 1845, and those Sections shall in all respects, as nearly as may be, extend and apply to such Sale, Demise, or other Disposition.

Power to remove Parts of Landguard Point.

15. The Conservancy Board may, by dredging, cutting, and otherwise, remove such Parts of *Landguard Point*, as well above as below High-water Mark, as they think it necessary to remove for making the Harbour more readily accessible, the Lord of the Manor claiming an Interest in *Landguard Point* having assented thereto.

Power to construct Pier or Landguard Beach.

16. The Conservancy Board may construct and maintain a Pier and Landing Place, with all necessary Approaches, Works, and Conveniences, on the *Landguard* Inner Beach, at or near a Point Twelve hundred Feet or thereabouts, measured along the Shore in a Northwardly Direction from the North-west Angle of the Fence inclosing the Lighthouse and Premises on *Landguard Point* in the Possession of the *Trinity House*, and thence extending in a Westwardly Direction into the Harbour for a Distance of about Two hundred Feet.

Tolls on Pier, &c.

17. The Conservancy Board may demand and take in respect of the Use of the Pier and Landing Place such Tolls as they from Time to Time think fit, not exceeding those specified in the Schedule to this Act; provided that such Tolls or any of them may be from Time to Time reduced by the Board of Trade, should such Board see fit.

18. The

18. The Conservancy Board shall have the Appointment of Meters and Weighers within the Limits of the Pier and Landing Place, and the Works and Lands vested in them adjoining or near to the Pier and Landing Place. Appointment of Meters and Weighers.

19. The Conservancy Board may grant to Passengers and others Pass Tickets for the Use of the Pier and Landing Place on such Terms, and for such Period not exceeding One Year, as may be agreed on, but so that no Preference be given to any Person. Such a Ticket shall not be transferable, and shall not be used by any Person except the Person for whom it is granted, or by that Person after the Period limited for its Use. If any Person acts in any way in contravention of this Provision, or uses or attempts to use any false or counterfeit Ticket, he shall for every such Offence be liable to a Penalty not exceeding Twenty Shillings. Contract with Persons for Use of Pier.

20. So far as may be necessary for the collecting of the Tolls and Dues leviable under the *Harwich* Harbour Acts, it shall be lawful for the duly authorized Officer of the Conservators to follow any Vessel or Craft beyond the Harbour up the River *Orwell*. Power to follow Vessels into the River Orwell to collect Tolls.

21. For better preventing Interference with Ingress and Egress into and from the Harbour, the Power of the Conservancy Board to make Byelaws shall extend to authorize the making by them from Time to Time of Byelaws for the following Purpose; namely, for prohibiting or restricting the anchoring of Vessels within a Space included between the imaginary Line marking the Seaward Limit of the Harbour and another imaginary Line drawn from the Harbour Light on *Landguard Point* to *Andrew's Buoy* and thence across to *Inner Ridge Buoy* and thence to the Low Lighthouse on the *Dovercourt* Shore. Power to prohibit Vessels anchoring off Entrance.

22. The Conservancy Board may from Time to Time sell, to be used as Ballast or for other Purposes, any Gravel or other Substance dredged or raised by them from the Harbour under the Powers of the *Harwich* Harbour Acts. Power to sell Ballast.

23. The Conservancy Board may from Time to Time construct and may maintain within the Harbour, on any Lands vested in them, such Ballast Wharves as they think fit, and may demand and take in respect of the Use thereof such Tolls as they from Time to Time think fit. Power to construct Ballast Wharves, and take Tolls.

24. Subject to the Provisions of this Act, the Conservancy Board may from Time to Time grant Licences to the Owners of Barges Power to license dredging, &c.

Barges and Vessels and others to remove any Soil, Banks, Accumulations, and Obstructions within the Harbour below Low-water Mark, and to dredge and otherwise improve the Bed of the Harbour below Low-water Mark.

Power to make Works.

25. The Conservancy Board, with the Approval in each Instance of the Board of Trade, may, on any Lands vested in them, make and maintain such Works as they think proper for the Preservation or Improvement of the Harbour.

Prohibition of Erection of Works on Shore, &c.

26. It shall not be lawful for any Person (except under Statutory Authority), at any Place within the Limits of the Jurisdiction of the Conservancy Board, to erect, construct, or place any Pier, Wharf, Wall, Groin, or other Erection on the Shore of the Sea or Harbour below High-water Mark without the Licence of the Conservancy Board, which Licence they may give, if they think fit, but without taking any Fee for the granting of such Licence; but if in any Case any Applicant for such a Licence thinks himself aggrieved by the Refusal thereof, he may appeal to the Board of Trade, and the Decision of the Board of Trade shall be binding on and shall be carried into effect by the Conservancy Board; and any Applicant for such a Licence shall be entitled to receive the same, unless the proposed Pier, Wharf, Wall, Groin, or other Erection will, in the Opinion of the Conservancy Board, or of the Board of Trade on Appeal, be injurious to Navigation.

Penalty for throwing Gravel, &c. into Harbour.

27. If any Person, without lawful Excuse (the Proof whereof shall lie on him), unloads, throws, or puts or causes or suffers to fall any Gravel or other Substance which has been used as Ballast, or any Stones, Earth, Mud, Ashes, Refuse, or Rubbish, into the Harbour or on the Shore thereof below High-water Mark, or knowingly puts such Gravel or other Thing as aforesaid in any Place where the same is liable to be carried by Floods or extraordinary Tides into the Harbour, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Power to Constables to arrest, &c.

28. Any Constable, or any Person called by a Constable to his Assistance, may take into Custody, without Warrant, any Person found committing any such Offence as last aforesaid.

Conservancy Board alone to prosecute.

29. It shall not be competent for any Person, other than the Conservancy Board, their Officers, Attorneys, Solicitors, or Agents, to institute or carry on under this Act any Prosecution for any such Offence as last aforesaid.

30. Where

Harwich Harbour.

30. Where such Offence is committed from or out of a Vessel, the Master and the Owner of the Vessel shall be liable to be proceeded against and to be punished as aforesaid, so that the Master and the Owner of the Vessel be not both punished in respect of the same Offence.

Master and Owner of Vessel liable for such Offence.

31. The Conservancy Board shall have the exclusive Right to lay down and maintain Moorings within the Harbour.

Right to Moorings.

32. Subject to the Provisions of this Act, the Conservancy Board may grant, for such Time and on such Terms as they think fit, Licences for the mooring of floating Hulks, for the Reception and Delivery of Coal, in such Parts of the Harbour as they from Time to Time think fit, and may demand and take in respect of such Licences Fees according to such Scale as they, with the Approval of the Board of Trade, from Time to Time appoint.

Licences for mooring of Coal Hulks.

33. The Conservancy Board may provide and maintain Steam Tugs for towing Vessels into and within and out of the Harbour, and may demand and take for the Use thereof Payments according to such Scale as they, with the Approval of the Board of Trade, from Time to Time appoint.

Power to keep Steam Tugs.

34. For the Purposes of the *Harwich* Harbour Acts, and of any Byelaw of the Conservancy Board made or to be made, the Jurisdiction of all Justices of the Peace for the Counties of *Essex* and *Suffolk* respectively, and for the Boroughs of *Ipswich* and *Harwich*, shall extend throughout the Limits of the Jurisdiction of the Conservancy Board.

Jurisdiction of Justices.

35. For the Purposes of Proceedings under the *Harwich* Harbour Acts, or under any Byelaw of the Conservancy Board made or to be made, every Offence shall be deemed to have been committed, and every Cause of Complaint under those Acts or any such Byelaw shall be deemed to have arisen, either in the Place in which the same actually was committed or arose, or in any Place in which the Offender or Person complained against happens to be.

Venue for Trial of Offences.

36. Where under the *Harwich* Harbour Acts, or any Byelaw of the Conservancy Board made or to be made, any pecuniary Penalty or Sum of Money forfeited is recovered by or on behalf of the Conservancy Board in a summary Manner, the same shall be paid to the Conservancy Board, and shall be applied as Money accruing to them under this Act from Tolls is applicable.

Application of Penalties.

37. If

Penalty for assaulting Constables, &c.

37. If any Person assaults or resists, or aids or incites any Person to assault or resist, any Constable or other Officer or Person in the Execution of his Duty, or the lawful Exercise of any Authority under the *Harwich* Harbour Acts, or under any Byelaw of the Conservancy Board made or to be made, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Tolls, &c.

Tolls, &c. to be applied as under 26 & 27 Vict. c. 71.

38. The Conservancy Board shall apply all Money accruing to them under this Act from Tolls, Rates, Fees, Dues, Property, or otherwise, in like Manner as Money received by them from Rates under The *Harwich* Harbour Act, 1863, is applicable.

Power to give Tolls, &c. as Security.

39. For any Money to be borrowed by the Conservancy Board for the Purposes of the *Harwich* Harbour Acts, the Conservancy Board may give as Security, separately or otherwise, all or any Part of the Tolls, Rates, Fees, Dues, and Property leviable or acquired by them under this Act.

Exemptions of Fishing Vessels in Distress.

40. Fishing Vessels belonging to Countries with which for the Time being Treaties exist exempting from Duties and Port Charges such Vessels when forced by Stress of Weather to seek Shelter in the Ports or on the Coasts of the United Kingdom shall, when forced by Stress of Weather to make use of the Harbour, and not breaking Bulk while making use thereof, be exempt from Tolls, Rates, Fees, and Dues leviable under the *Harwich* Harbour Acts or any of them.

Miscellaneous.

Saving Rights of the Crown, its Lessees, &c.

41. The Conservancy Board shall not take, use, or interfere with any Lands belonging to the Queen's most Excellent Majesty, Her Heirs or Successors, in right of the Crown, without the previous Consent of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, Her Heirs or Successors, which Consent those Commissioners respectively are hereby authorized to give; and, except as is provided in Section Eight of The *Harwich* Harbour Act, 1863, nothing in the *Harwich* Harbour Acts, or in any Act therewith respectively incorporated, shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority at the passing of those Acts respectively or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in right of the Crown, or in or by any Lessee or Licensee of the Crown; and nothing in the *Harwich* Harbour Acts shall authorize

authorize the Conservancy Board to execute or do, or to license the Execution or doing of, any Work, Act, or Thing that will injuriously affect the present or future Enjoyment of any Right, Power, or Interest for the Time being vested in any Person under any Lease or Licence from the Crown existing at the passing of this Act, or under any Renewal thereof; and all the Rights, Powers, Estates, and Interests of any Person for the Time being taking any Interest under any such Lease or Licence, or under any Renewal thereof, shall in all respects be as if this Act had not been passed.

Saving Powers of Board.

42. Except as in this Act expressly provided, nothing in this Act shall take away or abridge any Right, Power, Authority, Estate, or Interest vested in the Conservancy Board.

Expenses of Act.

43. The Expenses of and preliminary and incidental to the preparing, obtaining, and passing of this Act shall be paid by the Conservancy Board.

SCHEDULE.

I.—Tolls for Vessels using the Pier and Landing Place.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats, entirely open, landing or taking on board goods, each	0	6

II.—Tolls for Goods shipped or unshipped at the Pier and Landing Place.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package, not exceeding 1 cwt.	0	6
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0

Harwich Harbour.

	s.	d.
Cordage, per cwt	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small ditto or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horses (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical Instruments, per cube foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and Lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and Tar, per barrel	0	6

Harwich Harbour.

	s.	d.
Potatoes, per cwt.	0	2
Poultry and Game, per dozen	0	4
Rags and Old Rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins:—Calf, Goat, Sheep, Lamb, or Dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, Soap, and Candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and Zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and Varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto, bottled, per dozen bottles	0	2
Wood:		
Fir, Pine, and other description not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and Lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Treenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe Staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt	0	4
Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

III.—Tolls for use of Cranes, Weighing Machines, and Sheds on or in connexion with Pier and Landing Place.

1st, Cranes.

	s.	d.
All goods or packages not exceeding 1 ton - - - -	0	4
Exceeding 1 ton and not exceeding 2 tons - - - -	0	6
„ 2 tons „ 3 tons - - - -	0	8
„ 3 tons „ 4 tons - - - -	0	10
„ 4 tons „ 5 tons - - - -	1	0
„ 5 tons „ 6 tons - - - -	1	2
„ 6 tons „ 7 tons - - - -	1	4
„ 7 tons „ 8 tons - - - -	1	6
„ 8 tons „ 9 tons - - - -	1	10
„ 9 tons „ 10 tons - - - -	2	4
„ 10 tons - - - - - - -	3	6

2d., Weighing Machines.

For goods weighed, for each ton or part of a ton - - -	0	2

3d., Sheds.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package - -	0	2

IV.—Tolls for supplying Water on Pier and Landing Place.

Water, per 1,000 gallons - - - - - -	10	0

V.—Tolls on Passengers and Promenaders using the Pier and Landing Place.

For every passenger landing on the pier or landing place from or embarking from it on board of any vessel or boat, for each time -	0	6
For every person using the pier or landing place for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time - - -	0	4
For every bath or sedan chair taken on the pier or landing place, for each time - - - - - -	0	6
For every perambulator - - - - - -	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Felixstowe, or Walton, or Landguard, and using the pier or landing place for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum of - - -	20	0

VI.—Tolls on Passengers' Luggage

	s.	d
For every trunk, portmanteau, box, parcel, or other package, being passengers' luggage, not exceeding 28 lbs	0	2
Over 28 lbs and not exceeding 84 lbs	0	4
Over 84 lbs. and not exceeding 112 lbs	0	5
Over 112 lbs and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs and not exceeding 2 cwt	0	8
And for every cwt. beyond	0	4
And so in proportion for any part of a cwt		

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VICTORIÆ REGINÆ.

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***

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Salmon Fishery Act, 1865," and this Act and the Salmon Fishery Act, 1861, may be cited together as the "Salmon Fishery Acts, 1861 and 1865."

Construction of Act.

2. This Act, so far as is consistent with the Tenor thereof, shall be read as One with the Salmon Fishery Act, 1861.

Definition of Terms.

3. In this Act and the Salmon Fishery Act, 1861, the following Words shall have the Meanings herein-after assigned to them, unless there be something in the Subject or the Context repugnant to such Construction; that is to say,

"River" shall include such Portion of any Stream or Lake, with its Tributaries, and such Portion of any Estuary, Sea, or Sea Coast, as may from Time to Time be declared, in manner herein-after provided, to belong to such River:

"Salmon River" shall mean any River as above defined frequented by Salmon or Young of Salmon:

"Quarter Sessions" shall include "General Sessions:"

Any Riding, Division, or Liberty of a County having a separate Court of Quarter Sessions shall, for the Purposes of this Act, be deemed to be a County.

Appointment of Conservators.

Power to Justices of County to apply for Formation of Fishery Districts.

4. The Justices of a County at any Court of Quarter Sessions held after the passing of this Act (due Notice having been previously given according to the Practice of the said Sessions) may, by Writing under the Hand of their Chairman, apply to One of Her Majesty's Principal Secretaries of State to form into a Fishery District or Districts all or any of the Salmon Rivers lying wholly or partly within their County, and the said Secretary of State may form such District or Districts accordingly, and may include in any District so formed any River or Rivers, or Parts thereof, although not situated in the County on behalf of which the Application is made.

Limits of River and of Fishery District how settled.

5. The Limits of a River shall be defined for the Purposes of this Act, and a Fishery District shall be formed, by a Certificate under the Hand of One of Her Majesty's Principal Secretaries of State, describing the Limits of the River or District by a Reference to a Map or otherwise, as to the said Secretary may appear expedient, but no such Certificate shall be granted unless One Month's previous Notice of the Intention of the said Secretary to grant the same, and of the intended Limits of the River or District, has been given by Advertisement in such Newspaper or Newspapers published or circulating within the intended Limits, and in such daily

daily Morning Newspaper or Newspapers published in *London*, as may be directed by the said Secretary of State, and when a Certificate has been granted a Copy shall be advertised in such Newspaper or Newspapers.

Appointment of Conservators to District within Limits of One County.

6. Where any Fishery District lies wholly within any One County, the Justices of that County in Quarter Sessions assembled shall appoint a Board of Conservators for that District, and shall name the Time and Place at which the First Meeting of any Board so appointed is to be held.

Committee for Fishery District in different Counties.

7. Where a Fishery District does not lie wholly within the Limits of One County, the Justices of any County within which any Part of such District lies, assembled at any Court of Quarter Sessions, may apply to the Justices of every other County in that District to appoint at their next Court of Quarter Sessions a Fishery Committee of Three of their Number, to form, with the Fishery Committee of the like Number to be appointed at that Sessions by the County making the Application, a Joint Fishery Committee for the District.

Application for Appointment of Joint Committee.

8. An Application under this Act by the Justices of One County to the Justices of another, in respect of the Appointment of a Joint Fishery Committee, shall be made by the Clerk of the Peace of the One County sending, within Fourteen Days after the holding of the Sessions at which the Application is resolved on, to the Clerk of the Peace of the other County, by Post, a Letter requiring the Justices of the other County to appoint a Fishery Committee at their then next ensuing Quarter Sessions, and it shall be the Duty of the Clerk of the Peace making the Application, and of the Clerk of the Peace of every County to whom such Application is sent, to add to the Notice required by Law to be given of the holding of such last-mentioned Sessions a Notice of the Appointment proposed to be made of a Fishery Committee.

Appointment of Fishery Committee.

9. At the Quarter Sessions mentioned in the Application the Justices of each County shall appoint a Fishery Committee of Three of their Members; and any County neglecting to make such Appointment shall be deemed to have concurred in any Decision that may be arrived at by the Fishery Committees of the other Counties, or of such of them as may appoint a Fishery Committee.

Notice of Appointment of Fishery Committee.

10. The Clerk of the Peace of every County shall, as soon as possible after the Appointment of a Fishery Committee by his County, give Notice by Post to the Clerk of the Peace of every other County

County in the District, stating in such Notice the Names and Addresses of the Members composing the Fishery Committee of his County, and the Clerk of the Peace of the County that made the Application for such Appointment shall, in the Notice sent by him, name a Time and Place at which the Joint Fishery Committee for such District is to meet.

Proceedings of Joint Fishery Committee.

11. The said Joint Fishery Committee, on meeting at the Time and Place aforesaid, shall elect a Chairman, and the Chairman elected at the First Meeting shall, if he is present at the Time appointed for holding any other Meeting, be Chairman of that Meeting; if he is not so present the Members present may choose any One of their Number present to be Chairman of such last-mentioned Meeting.

A Joint Fishery Committee may adjourn from Time to Time and from Place to Place, and One Third of the whole Number of Members appointed shall be a Quorum.

Every Question shall be decided by a Majority of Votes of the Members voting on that Question, and in the event of an Equality of Votes at any Meeting the Chairman shall have a Second or Casting Vote.

The Proceedings of a Joint Committee shall not be invalidated by reason of there being any Vacancy or Vacancies in their Body.

Meeting of Joint Fishery Committee.

12. The said Joint Fishery Committee shall proceed to appoint a Board of Conservators for such District, and shall determine the following Matters:

1. The Number of Conservators to be appointed as a Board:
2. The Number of Members of the Board to be appointed by each County in the District:
3. The Names of the First Members of the Board, distinguishing those who are to be considered as appointed by each County:
4. The Time and Place at which the First Meeting of the said Board is to be held:
5. The County by the Quarter Sessions of which the Accounts of the Board are to be audited, herein-after referred to as the Audit County.

Any Member of a Joint Committee may be appointed Member of the Board.

Dissolution of a Joint Fishery Committee.

13. When a Joint Committee have completed their Dispositions for the Formation of a Board of Conservators for a District, they shall give Notice by Post of such Dispositions to the Clerks of the Peace of all the Counties in such District, and when such Notice has been given the Joint Committee shall be dissolved.

14. All

14. All Justices of the Peace for any County any Part whereof is within the Limits of any Fishery District, being either Owners or Occupiers of any Lands of the Value of not less than One hundred Pounds *per Annum* abutting upon any Salmon River within the same, and having a Right of Fishing in such River, and all Persons paying under this Act Licence Duty within that District to an Amount of not less than Fifty Pounds *per Annum* each, shall be *ex-officio* Members of the Board of Conservators for such District in addition to the appointed Members of the said Board.

Ex-officio Members of Board.

15. The Members of a Board of Conservators shall hold Office for One Year, and be appointed annually at Quarter Sessions, and in the Case of a Board formed by a Joint Committee in the Proportions fixed by that Committee. Retiring Members shall be eligible for Re-appointment; and if at the Time when any annual Appointment ought to take place no such Appointment is made the existing Conservators shall remain in Office until their Successors are appointed.

Tenure of Office by Conservators.

Any casual Vacancy occurring by Death, Resignation, or otherwise in the Office of Conservator may be filled up by the Board, and the Member chosen to fill such Vacancy shall hold his Office for such Time only as the Member vacating would have held the same if no Vacancy had occurred.

16. Notice of the First and of every subsequent Appointment of a Board of Conservators, specifying the Names and Addresses of the Persons appointed, shall, in the Case of a Board appointed by the Justices of a single County, be advertised by the Clerk of the Peace of that County in some Newspaper published or circulated in such County, and in the Case of a Board appointed by a Joint Committee be advertised by the Clerk of the Peace of every County in the District in some Newspaper published or circulated in that County.

Notice of Appointment of Conservators.

17. After the Appointment of a Board of Conservators in pursuance of this Act in any District the Powers of all Conservators or Overseers for the Preservation of Salmon, appointed in pursuance of any other Act of Parliament, of Charter or Custom, and all Powers of appointing the same, shall absolutely determine within the Limits of the said District.

Cesser of Powers of existing Conservators.

18. No Objection shall be made at any Trial or in any legal Proceeding to the Validity of any Orders or Proceedings relating to the Appointment of a Board of Conservators in any District after the Expiration of Three Calendar Months from the Date of the Advertisement of such Appointment in the Newspaper, and a Copy of the Newspaper containing the Advertisement of the Appointment of a Board of Conservators shall be receivable in all Courts of

Rules as to Objections and Evidence.

Justice and in all legal Proceedings as Evidence of such Appointment having been made.

Provision as to common Estuary.

19. Where more than One Salmon River not included in the same Fishery District flows into a common Estuary the said Secretary of State may define the Limits of such Estuary, including therein any Portion of the adjoining Sea or Seacoast, and form it into a separate District, and place the whole of such District, either temporarily or permanently, within the Jurisdiction of any One or more of the Boards having Jurisdiction over the Salmon Rivers flowing into the Estuary, or place such District under the Jurisdiction of a Board composed of Representatives from the other Boards, and may require such Board or Boards to pay a certain Proportion of the Licence Duties received by them to any other Board or Boards.

Alterations of Fishery District.

20. A Fishery District may from Time to Time be altered by including therein or excluding therefrom any Salmon River or Part of a Salmon River. Any such Alteration shall be made by a Certificate of the said Secretary of State, upon the Application of the Board of Conservators of the District, and after not less than Six Months previous Notice in Writing has been given to any other Board whose District is affected by such Alteration. Where the Effect of such Alteration is to include in a District a Portion of a County not hitherto included, the Justices of that County in Quarter Sessions assembled shall add such Number of Members to the existing Board of the District as the said Secretary of State may determine, and where the Effect of the Alteration is to exclude altogether from the District any County, the Members of the Board appointed by such County shall cease to hold their Offices at the Board, and the Members of the Board appointed by the other Counties in the District may respectively be increased in such Manner as the said Secretary thinks fit: Provided, firstly, that no Alteration of any District shall affect the Powers of any existing Board or Boards until the new Districts are fully constituted, and any Change occasioned by such Alteration in the Constitution of any existing Board or Boards completely carried into effect; secondly, that Notices of any Alteration made in a District or in the Constitution of a Board of Conservators in pursuance of this Section shall be advertised in some Newspaper or Newspapers published or circulated in the District or Districts affected by such Alteration.

Board of Conservators, and their Officers.

Constitution of Board of Conservators.

21. A Board of Conservators shall be a Body Corporate, having perpetual Succession and a Common Seal, with Power to make Contracts, and to sue and be sued in a common Name.

22. A Board

22. A Board of Conservators shall meet for the Despatch of Business, and shall from Time to Time make such Regulations with respect to the Election of a Chairman of their Meetings, the summoning, Notice, Place, Management, and Adjournment of their Meetings, and generally with respect to the Transaction and Management of Business, including the Quorum at Meetings, as they think fit, subject to the following Conditions: Proceedings of Board.

(*a.*) The First Meeting after the Formation of the District shall be held at the Time and Place fixed in manner provided by this Act:

(*b.*) An Extraordinary Meeting may be summoned at any Time, on the Requisition of Three Members of the Board:

(*c.*) The Quorum to be fixed by the Board shall consist of not less than Three Members:

(*d.*) Every Question shall be decided by a Majority of Votes of the Members voting on that Question; and in the event of an Equality of Votes the Chairman for the Time being shall have a Second or Casting Vote.

23. A Board of Conservators may appoint Committees of their Members, may fix a Quorum for each Committee, and may lay down Rules for its Guidance. Every Question before a Committee shall be decided by a Majority of Votes of the Members voting on that Question, and in the event of an Equality of Votes the Chairman for the Time being shall have a Second or Casting Vote. Appointment of Committees.

24. Where any Salmon River is within the Jurisdiction of a Board of Conservators appointed under this Act, any Application to the Home Office in respect of the Close Time on such River, in pursuance of Section Eighteen of "The Salmon Fishery Act, 1861," shall be made by the Board of Conservators, instead of by the Justices in Quarter Sessions assembled. Amendment of Section 18 of Salmon Fishery Act, 1861.

25. No Act or Proceeding of a Board of Conservators shall be questioned on account of any Vacancy or Vacancies in their Body; and no Defect in the Qualification or Appointment of any Person or Persons acting as Member or Members of such Board shall be deemed to vitiate any Proceedings of such Board in which he or they have taken part. Vacancies in Board and Defect in Qualification of Members.

26. Any Minute made of Proceedings at a Meeting of a Board of Conservators, if signed by the Chairman of that Meeting, either at the Meeting of the Board at which such Proceedings took place, or at the next ensuing Meeting of the Board at which such Person Evidence of Proceedings at Meeting.

may

may be present, shall be receivable in Evidence in all legal Proceedings without further Proof; and until the contrary is proved every Meeting of the Board in respect of the Proceedings of which Minutes have been so made shall be deemed to have been duly convened and held, and all the Members thereof to have been duly qualified.

Enumeration of Powers of Board of Conservators.

27. A Board of Conservators shall have Power within their District to do the following Things, or such of them as they may in their Discretion think expedient; that is to say,

(1.) From Time to Time, by Writing under the Hand of the acting Chairman for the Time being of the Board, to appoint a sufficient Number of Water Bailiffs and other Officers, to assign to them their Salaries and Duties, and to remove any Water Bailiff or Officer so appointed: Provided always, that nothing herein contained shall prevent the said Board of Conservators from obtaining the Services of additional Constables under the Act Third and Fourth *Victoria*, Chapter Eighty-eight, Section Nineteen, for the Purpose of carrying out the Provisions of this Act; such Constables, when appointed, to have all the Powers and Privileges of Water Bailiffs, and to be paid for their Services by the said Board:

(2.) To issue such Licences for fishing as are provided by this Act:

(3.) To purchase by Agreement, for the Purpose only of Removal, Dams, Fishing Weirs, Fishing Mill Dams, or fixed Engines they may deem it expedient to remove for the Benefit of the Fisheries in their District:

(4.) To take legal Proceedings against Persons violating the Provisions of the Salmon Fishery Acts, 1861, 1865, or either of them, or for removing such Weirs or other fixed Engines as they may be advised are illegal:

(5.) Generally to execute such Works, do such Acts, and incur such Expenses as they may deem expedient to be executed, done, or incurred for the Protection and Improvement of the Salmon Fisheries within their District, the Increase of Salmon, and the stocking of the Waters in their District therewith, but so that it shall not be lawful for a Board of Conservators to pay to any Member of the Board any Salary, Fees, or other Remuneration for his acting in any way as a Member of or under the Board:

Provided that this Section shall not authorize anything to be done which may injuriously affect any navigable River, Canal, or Inland Navigation.

Mortgage of Licence Duties.

28. A Board of Conservators may, for the Purpose of defraying any Costs, Charges, and Expenses incurred or to be incurred by them under

under the Salmon Fishery Acts, 1861, 1865, with the Consent of One of Her Majesty's Principal Secretaries of State, borrow and take up, at Interest on the Credit of the Licence Duties authorized to be imposed by them, or of any other Property belonging to them, any Sums of Money necessary for defraying such Costs, Charges, and Expenses; and for the Purpose of securing the Repayment of any Sums of Money so borrowed, together with such Interest as aforesaid, the Board of Conservators may mortgage and assign over to the Persons by or on behalf of whom such Sums are advanced the said Duties and Property, or any Part thereof; and the Clauses of the Commissioners Clauses Act, 1847, with respect to Mortgages to be created by the Commissioners, shall form Part of and be incorporated with this Act, and any Mortgagee or Assignee may enforce Payment of his Principal and Interest by Appointment of a Receiver.

Audit of Accounts of Board.

29. An Account of the Receipts and Disbursements of every Board of Conservators, in such Form and with such Particulars as may be required by the Court of Quarter Sessions that appoints the Board, or in the Case of a Joint Board by the Court of Quarter Sessions of the Audit County, shall be laid annually before such Courts of Quarter Sessions as aforesaid, and the Justices assembled at such Courts may disallow any Item that they consider to be illegal.

Power of Water Bailiff for Protection of Fisheries.

30. Any Conservator or Water Bailiff appointed under this Act may examine any Dam, Fishing Weir, Fishing Mill Dam, or fixed Engine within the Limits of his District, or any artificial Watercourse connected with a Salmon River in that District, and any Owner or Occupier of any such Dam, Weir, Engine, or artificial Watercourse refusing to any Conservator or Water Bailiff Access to such Dam, Weir, Engine, or Watercourse shall be liable to a Penalty not exceeding Five Pounds for each Offence.

A Conservator or Water Bailiff may search all Boats, Nets, Baskets, and other Instruments used in fishing in Salmon Rivers, he may seize all illegal Nets and other Instruments of fishing, and all Fish and other Articles forfeited in pursuance of the Salmon Fishery Acts, 1861, 1865, and generally may act as a Constable for the Enforcement of the Provisions of the said Salmon Fishery Acts, and when so acting shall be deemed to be a Constable, and have all the same Powers and Privileges, and be subject to the same Liabilities, as a Constable duly appointed now has or is subject to within his Constablewick by virtue of the Common Law of this Realm, or of any Statute.

The Production, with respect to a Conservator, of a Certificate of his being a Conservator under the Common Seal of the Board of which he is a Member, and with respect to a Water Bailiff the

Production of the Instrument of his Appointment, executed in the Manner directed by this Act, shall be sufficient Warrant for any Conservator or Water Bailiff exercising the Authorities given by this Act.

Order for Entry of Water Bailiff on Land.

31. Where it appears to any Justice of the Peace, on the Application of any Conservator or Water Bailiff made on Oath, that such Conservator or Bailiff has good Reason to suspect that Acts in contravention of the Salmon Fishery Acts, 1861 and 1865, are being or are likely to be done on any Land situate on or near to a Salmon River, the Justice may, by Order under his Hand, authorize such Conservator or Bailiff, during a limited Period, to be specified in such Order, not exceeding Twenty-four Hours, to enter upon and remain on such Land during any Hours of the Day or Night for the Purpose of detecting the Persons guilty of the aforesaid Acts; and no Conservator or Water Bailiff entering or remaining on any Land in pursuance of such Order shall be deemed to be a Trespasser; but this Section shall not affect any other Powers of Search conferred by the Salmon Fishery Acts, 1861 and 1865.

Alteration of Fish Pass or Free Gap.

32. On Application to the Secretary of State by any Board of Conservators, setting forth that any Fish Pass or Free Gap within their District, under the Provisions of the Salmon Fishery Act, 1861, is in their Opinion capable of Improvement, the said Secretary of State may direct any Alteration in the said Fish Pass or Free Gap, or may direct a new Fish Pass or Free Gap to be made in another Site, and the Board of Conservators shall defray all Costs, Charges, and Expenses attending the Alteration or Erection of any such Fish Pass or Free Gap, and for the Purposes of this Section, where a River is divided into separate Branches, each Branch shall be considered as a separate River: Provided, that no Injury shall be done under the Exercise of the Powers given by this Section to the Supply of Water to or of any navigable River, Canal, or other Inland Navigation.

Licences.

Issue of Licences.

33. In any Fishery District subject to the Control of a Board of Conservators Licences shall be granted at fixed Prices to all Persons using any Rod and Line for fishing for Salmon, and in respect of all Fishing Weirs, Fishing Mill Dams, Putts, Putchers, Nets or other Instruments or Devices, except Rods and Lines, whereby Salmon are caught; and the Produce of such Licences shall be applied in defraying the Expenses of carrying into effect in such District the Salmon Fishery Acts, 1861 and 1865.

34. The

34. The following Rules shall be observed with respect to the Licences granted in pursuance of this Act; that is to say, Rules as to Licences.

(1.) A Licence for the Use of a Rod and Line within a Fishery District shall be granted to the Person named therein on Payment of the Sum of One Pound, or such less Sum as may be determined by the Board of Conservators of the District. A Licence for the Use of a Rod and Line shall not in any Case be transferable.

(2.) Licences for Fishing Weirs, Fishing Mill Dams, Putts, Putchers, Nets, and other Instruments or Devices, except Rods and Lines for catching Salmon, shall be granted on Payment of such Sums, not exceeding the Sums specified in the First Schedule hereto, as may from Time to Time be determined by the Board of Conservators of the District, with the Approval of One of Her Majesty's Principal Secretaries of State; Licences for Fishing Weirs, Fishing Mill Dams, Putts, Putchers, Nets, or other such Instruments or Devices as aforesaid shall be available only for the Use of the Persons within the Districts, and in respect of the Instruments or Devices to whom or for whose Use within and in respect of which the same are respectively granted:

(3.) The Approval of the said Secretary of State to a Scale of Licences for Fishing Weirs, Fishing Mill Dams, Putts, Putchers, Nets, and other Instruments or Devices as aforesaid shall not be given for any District unless One Month's previous Notice of the Intention of the Board to apply for such Approval has been given by Advertisement, stating the Scale of Licence Duties proposed by the Conservators, in some One or more public Newspaper or Newspapers circulating in the District:

(4.) Any Person for the Time being entitled to an exclusive Right of fishing for Salmon in any River or Part of a River may, upon Application to the Conservators of the District, obtain a General Licence; and such General Licence shall enable the Licensee or any Person authorized by him in Writing under his Hand, without any other Licence, to fish for Salmon in any legal Manner in such River or Part of a River, but it shall not be of any Validity beyond the Limits to which it refers: There shall be paid for such General Licence such Sum as the Conservators may from Time to Time determine, with the Sanction of the said Secretary of State, having regard to the Extent and Productiveness of the Fishery, and to the Nature of the Instruments or Devices used for catching the Fish:

(5.) All Persons demanding to purchase Licences, and tendering to any Person appointed by the Board to distribute the same the

the Amount of Licence Duty to be paid under the Provisions of this Act, shall be entitled to receive the same without any Question or Objection whatsoever. But no Licence shall confer any Right to fish in any Place or at any Time in or at which the Licensee is not otherwise entitled to fish; nor shall the Grant of a Licence be held to make any Fishing Weir, Fishing Mill Dam, Putts, Putchers, Net, or other Instrument or Device legal that would otherwise be illegal, or to imply any Recognition of the Legality of any such Instrument:

(6.) All Licences granted in pursuance of this Act shall be available only during the Fishing Season of the Year for which they are granted:

(7.) Licences granted in pursuance of this Act shall be issued by the Conservators of each District in such Form as may be approved by the Secretary of State, and be distributed in such Manner as they may from Time to Time direct:

(8.) The Conservators of a District shall, on their first Appointment, give Notice, by Advertisement in One or more Newspaper or Newspapers published or circulating in their District, of a Time, not being less than Three Months after such Appointment, at the Expiration of which it will be illegal to fish for Salmon in that District without a Licence, and shall state in the Notice a Place or Places within their District where Licences may be procured; and the Production of a Copy of a Newspaper containing any such Advertisement as aforesaid shall be conclusive Evidence, as respects a Fishery District, of due Notice having been given of the Time after which it will be illegal in that District to fish for Salmon without Licences.

Penalty on fishing with Rod without Licence.

35. From and after a Time to be appointed as aforesaid in a Fishery District, any Person fishing in that District with a Rod and Line for Salmon without a proper Licence shall be liable to a Penalty of not less than double the Amount to be paid for the requisite Licence, and not exceeding Five Pounds.

Penalty on fishing at Weirs or with Nets without Licence.

36. From and after a Time to be appointed as aforesaid in a Fishery District, any Person using within that District any Fishing Weir, Fishing Mill Dam, Putt, Putcher, Net, or other Instrument or Device, not being a Rod and Line, for catching Salmon, without having a proper Licence for the same, shall be liable to a Penalty of not less than double the Amount to be paid for the requisite Licence, and not exceeding Twenty Pounds.

Production of Licence.

37. Any Licensee under this Act on producing his Licence, any Conservator on producing a Certificate of his being a Conservator, or

or any Water Bailiff appointed in pursuance of this Act on producing the Instrument appointing him, or any Constable, if authorized so to do by the Justices in Quarter Sessions, may require any Person found fishing with a Rod and Line, Fishing Weir or Fishing Mill Dam, Net, or other Instrument, to produce his Licence; and the Person required to produce the same shall, if he do not produce the same, or make a reasonable Excuse for the Nonproduction thereof, be liable to a Penalty not exceeding One Pound.

38. A County of a City or County of a Town shall for the Purposes of this Act be deemed to be a County; and any Act hereby authorized to be done by or to the Justices of a County in Quarter Sessions assembled shall, in the Case of a County of a City or County of a Town, be done by or to the Council of such City or Town assembled at any Meeting of Council; and any Act to be done by or to the Clerk of the Peace may be done by or to the Town Clerk or other like Officer; and Notice of a Meeting of the Council given in the usual Way shall be equivalent to the Notice of Quarter Sessions required to be given in the Case of the Justices of a County.

County of City or County of Town included under the Term County.

Fixed Engines.

39. "Fixed Engine" shall in this Act and the Salmon Fishery Act, 1861, include any Net or other Implement for taking Fish fixed to the Soil, or made stationary in any other Way, not being a Fishing Weir or Fishing Mill Dam: And whereas by the Eleventh Section of the Salmon Fishery Act, 1861, it is provided that the said Section shall not affect any ancient Right or Mode of fishing as exercised at the Time of the passing of the Act by virtue of any Grant or Charter or immemorial Usage: Be it enacted, That the said Provisions shall extend to exempt from the said Eleventh Section such fixed Engines only as were in use for catching Salmon during the Open Season of One thousand eight hundred and sixty-one, in pursuance of an ancient Right or Mode of fishing as lawfully exercised during such Open Season, by virtue of any Grant or Charter or immemorial Usage, which last-mentioned fixed Engines are herein-after referred to as privileged fixed Engines. But inasmuch as in certain Cases fixed Engines in use during the Four Years previous to 1861, or One of such Years, may from temporary Causes have been out of use during the Year 1861, and it is expedient to provide for such Cases, it is hereby declared, that if it is proved to the Satisfaction of the Special Commissioners appointed under this Act that any fixed Engine not in use during the Open Season of 1861 was in use during One of the said Four Years, Proof of its User during One

Amendment of Provisions relating to fixed Engines.

of such Four Years may be substituted for Proof of its User during the Open Season of 1861; so, nevertheless, that no Person shall by proving the Use of different fixed Engines during the said Years be allowed to be entitled to a Number of privileged Engines exceeding the greatest Number of such Engines in use by him during some One of the Years 1857, 1858, 1859, 1860, 1861.

Commissioners to inquire as to fixed Engines.

40. Subject to such Appeal as is herein-after mentioned, the Special Commissioners appointed under this Act, herein-after referred to as the Commissioners, may inquire into the Legality of all fixed Engines erected or used for catching Salmon within the Limits of the Salmon Fishery Acts, 1861 and 1865, and abate and remove all such as are not proved to their Satisfaction to be privileged.

Certificate as to privileged Engines.

41. Where a Claim is made by any Person on behalf of a fixed Engine that it is privileged, the Commissioners shall, on Proof being given to their Satisfaction that such Engine is privileged, certify to that Effect, stating in the Certificate the Situation, Size, and Description of the Engine. A Certificate given in pursuance of this Section shall be deemed to be an Order of the Commissioners, and to be subject to Appeal as such. If unappealed from, or as confirmed or amended on Appeal, such Certificate shall be conclusive Evidence that the Engine is a privileged Engine within the Meaning of the Salmon Fishery Acts, 1861 and 1865, but the Certificate shall not render any Engine legal that would be otherwise illegal by reason of its being injurious to Navigation.

Commissioners to inquire as to Fishing Weirs.

42. Subject to such Appeal as is herein-after mentioned, the Commissioners may inquire into the Legality of all Fishing Weirs and Fishing Mill Dams throughout the Limits of the Salmon Fishery Acts, 1861 and 1865, and shall remove such Fishing Weirs, and cause to be rendered incapable of catching Fish such Fishing Mill Dams as are in contravention of the Salmon Fishery Act, 1861; provided that where a Fishing Weir is illegal only by reason of its not having a Free Gap as required by Law, or a Fishing Mill Dam is illegal only by reason of its not having a Fishing Pass attached thereto as required by Law, this Section shall not empower the Commissioners to remove such Fishing Weir if an Undertaking be entered into, to the Satisfaction of the Commissioners, by the Owner or other Person interested in such Weir, to make a legal Free Gap therein within a reasonable Time to be prescribed by the Commissioners, and a Free Gap is made accordingly, or to cause to be rendered incapable of catching Fish such Fishing Mill Dam if a like

Undertaking

Undertaking be entered into to attach a Fish Pass thereto, as required by Law, within a reasonable Time to be prescribed by the Commissioners, and such Fish Pass be attached accordingly.

Notices of Courts of Commissioners.

43. The Commissioners shall advertise in some daily Morning *London* Newspaper, and in some Newspaper circulating in the District in which any Salmon River or Part of a River is situate, Notice of the Place where and Time when they will be prepared to hold a Court for determining the Legality of all Fishing Weirs, Fishing Milldams, and fixed Engines on that River or Part of a River.

The Advertisement in the said Newspapers shall be inserted at least Twenty-eight Days before the Time at which any Court mentioned therein is appointed to be held. The Commissioners may alter any Place or Time mentioned in such Advertisements, on giving Notice of such Alteration in such Manner as the Commissioners may think best calculated to insure to the Parties interested Knowledge of such Alteration. The above-mentioned Advertisement shall be in the Form marked A. in the Second Schedule hereto, or as near thereto as Circumstances admit. In addition to the foregoing Advertisements, the Commissioners, at least Fourteen clear Days before entering upon an Inquiry as to the Legality of any Fishing Weir, Fishing Milldam, or fixed Engine, shall serve a Notice on the Owner or One of the Owners of such Fishing Weir, Fishing Milldam, or fixed Engine to appear before them at a Place and Time mentioned in such Notice.

Service of a Notice under this Section may be made either by delivering the Notice personally to such Owner, or leaving it at or sending it by Post in a registered Letter to his last known Place of Abode, or, if the Owner cannot be ascertained after due Inquiry, by posting a Copy of the Notice on the Fishing Weir, Fishing Milldam, or fixed Engine that forms the Subject of the Inquiry.

The Notice shall be in the Form marked B. in the Second Schedule hereto, or as near thereto as Circumstances admit, and may be addressed as appears in the said Schedule, and need not contain the Name of any Person.

For the Purposes of this Section any Person for the Time being receiving the Profits or a Share of the Profits of the Salmon caught by such Fishing Weir, Fishing Milldam, or fixed Engine shall be deemed to be the Owner, but in addition to any Owner the Commissioners shall hear any Person appearing before them, whether legally interested or not in a Fishing Weir, Fishing Milldam, or fixed Engine.

Any Person obstructing or refusing Access to any Officer of the Commissioners who may be desirous of posting any Notice in pursuance of this Section on a Fishing Weir, Fishing Milldam, or fixed Engine shall be liable to a Penalty not exceeding Five Pounds for

for each Offence, and any Person defacing, destroying, or removing any such Notice shall be liable to a Penalty not exceeding Forty Shillings; and a Notice shall be deemed to have been duly posted where the non-posting thereof has been occasioned by some Person obstructing or refusing Access to the Officer about to post the same.

The Production of a Copy of a Newspaper containing any Advertisement required by this Act shall, for the Purposes of this Act, be Evidence of such Advertisement having been given at the Time at which the Newspaper bears Date.

Hearing as to Legality of fixed Engines.

44. On the Appearance of the Owner or other Persons for or against any Fishing Weir, Fishing Milldam, or fixed Engine, and after hearing what, if anything, is alleged by him or them, or on his or their Behalf, or in the Absence of any such Persons, if they or any of them do not appear, and the Commissioners are satisfied by Evidence on Oath that the Notices required by the Act have been given, the Commissioners shall decide as to the Legality or Illegality of the Fishing Weir, Fishing Milldam, or fixed Engine, and in the event of their Decision being in favour of its Illegality they may, by Warrant under their Hands, order the Owner to remove a Fishing Weir, or render incapable of catching Fish a Fishing Milldam, where the Law requires such Fishing Weir or fixed Engine to be removed, or such Fishing Milldam to be rendered incapable of catching Fish, to the Satisfaction of the Commissioners, within a reasonable Time to be prescribed in the Order, not being less than Three Months; and in case the Owner fails to comply with the Directions of the Order, then the Commissioners may, by Warrant under their Hands, authorize any Constable or other Person, at the Expense of the Owner, to carry their Order into effect. The Commissioners may sell any fixed Engine, or any Materials belonging to any Fishing Weir or Fishing Milldam, that are removed in pursuance of this Act, and apply the Proceeds of the Sale in defraying any Costs, Charges, and Expenses incident to carrying their Order into effect in reference to such Fishing Weir, Fishing Milldam, or fixed Engine, and shall render the Surplus, if any, to the Persons they may deem entitled thereto.

Provided that if it is proved to the Satisfaction of the Commissioners that any Posts or other Materials belonging to an illegal Fishing Weir or fixed Engine ordered to be removed may be capable of being used by any Person as Evidence of Title to any Foreshore or other Land, the Commissioners shall, instead of ordering the entire Removal of such Posts or Materials, require the Fishing Weir or fixed Engine to be destroyed so far only as they may in their Discretion think necessary in order to prevent its being used for Fishing Purposes.

45. If

45. If any Person feels aggrieved with any Decision of the Commissioners the Person aggrieved may appeal as follows; that is to say,

Appeal from Decision of Special Commissioners.

1. The Appeal shall be to One of Her Majesty's Superior Courts of Law at *Westminster*.
2. The Appeal shall be by Special Case stating the Facts and the Grounds for the Decision.
3. The Special Case shall be settled by the Commissioners upon the Application of the Appellant to be made in Writing within Fourteen Days after the Delivery of the Decision, and not afterwards; and if the Appellant be dissatisfied with the special Case as settled by the Commissioners, he may have the same settled by a Judge of One of the said Superior Courts, on Summons, at Chambers.
4. Before the Delivery of the Case to the Appellant he shall enter into a Recognizance before the said Commissioners or a Justice of the Peace, with or without Sureties, and in such Sum as the Commissioners or the Justice think fit, conditioned to prosecute without Delay the Appeal, and to submit to the Judgment of the Appellate Court, and to pay such Costs as may be awarded.
5. The Special Case shall be signed by the Commissioners, and shall be delivered to the Appellant by the Commissioners.
6. On the Receipt of the Special Case the Appellant shall within Fourteen Days transmit by Post or otherwise the original Case to the proper Officer of the Appellate Court.
7. When a Party gives in good Faith Notice of an Appeal under this Section, but omits through Mistake to do some Act necessary to perfect the Appeal, the Appellate Court may permit an Amendment on such Terms as it thinks just.
8. After the Decision of the Appellate Court has been given on a Case stated as aforesaid, the Commissioners shall have the same Powers to enforce that Decision, when affirmed or amended, as they would have had to have enforced their original Decision if it had not been appealed from.
9. Save as herein-before varied, the Provisions of the Summary Jurisdiction Act of the Twentieth and Twenty-first Years of Her Majesty's Reign, Chapter Forty-three, as to the Powers of the Superior Court, as to directing a Special Case to be stated, as to the enforcing of Recognizances, and as to all other Matters, shall apply to an Appeal under this Section in the same Manner as if the Words "Justice or Justices" in the said Summary Jurisdiction Act included the Special Commissioners appointed under this Act.

10. Any Act required by this Section to be done by the Commissioners may be done by Two of them, of whom the Barrister herein-after mentioned shall be One.

Appointment of Commissioners under Sign Manual.

46. Her Majesty may, by Warrant under the Royal Sign Manual, appoint any Number of Persons not exceeding Three, of whom One shall be a Barrister of not less than Seven Years standing at the Bar, to be Commissioners under this Act during Her Majesty's Pleasure, and upon every Vacancy in the Office of any Commissioner by Death, Resignation, or Incapacity to act may appoint some other fit Person to fill the Vacancy: Provided always, that in the Case of a Vacancy by the Death, Resignation, or Incapacity of the Commissioner required by this Act to be a Barrister, another Barrister qualified as aforesaid be appointed in his Place.

Commissioners to have a Common Seal.

47. The Commissioners appointed under this Act shall be styled "the Special Commissioners for *English* Fisheries;" they shall cause to be made for their Commission such Seal or Seals as they may require; and any Summons, Order, Warrant, or other Instrument, or Copy thereof, purporting to be sealed with the Seal of the Commissioners, and to be signed as herein-after mentioned, shall be received in Evidence without any further Proof.

Commissioners not to sit in Parliament.

48. No Commissioner shall during his Continuance in Office be capable of being elected or of sitting as a Member of the House of Commons.

Acts of the Commissioners.

49. All Warrants for the Removal of any Fishing Weir or fixed Engine, or for the Alteration of any Fishing Milldam, shall be signed by Two at least of the Commissioners, and all Cases relating to the Removal of such Fishing Weir or fixed Engine, or Alteration of any Fishing Milldam, shall be heard by all the Commissioners, but the Opinions of Two of them, of whom the said Barrister shall be One, shall, in case of Difference, decide any Question; any other Acts, except as aforesaid, authorized to be done by the Commissioners may be done by any One of them, and any Notice or other Instrument under the Seal of the Commissioners, and signed by any Person delegated by them, shall be deemed to be sufficiently executed.

The Treasury to fix Salaries, &c. and appoint additional Officers.

50. The Commissioners of Her Majesty's Treasury may from Time to Time fix such Salaries as they may think fit for the Commissioners hereby appointed, and also appoint such additional Officers, Clerks, and Servants at such Salaries as the said Commissioners of the Treasury may think proper and necessary, and from Time to Time

Time dismiss such Officers, Clerks, and Servants, and appoint others in their Place.

51. The Offices of the said Commissioners, and all Powers, Rights, and Privileges pertaining thereto, shall continue in force for Two Years, and from thenceforth until the End of the next Session of Parliament. Duration of Office of Commissioners.

52. The Commissioners may examine any Witnesses on Oath, and with respect to enforcing the Attendance of Witnesses, and the Production of Deeds, Books, Papers, and Documents, shall have the same Powers as the Judges of One of Her Majesty's Superior Courts of *Westminster* have for such or the like Purposes; moreover it shall be lawful for the Commissioners to order any Person to be removed from their Court who may interrupt the Business of the Court, or refuse to obey their lawful Orders in respect of the same; and it shall be the Duty of the Chief Constable, Commissioner, or Chief Officer of Police of the County, City, Borough, or Place in which the Court is held to take care that an Officer of Police do attend that Court during its Sitting for the Purpose of keeping Order therein, and to carry into effect any such Order of the Commissioners as aforesaid. Powers of Commissioners.

53. Copies of Orders of the Commissioners made in pursuance of this Act, with the accompanying Plans and Maps, if any, shall be deposited with the Clerk of the Peace of the County where any Engine or any Subject Matter to which such Order relates is situate; and any Copy of such Order, Plan, or Map purporting to be stamped with the Seal of the Commissioners shall be admissible in Evidence, and any Copy of any Certificate or Order of the said Secretary of State in pursuance of the Salmon Fisheries Acts, 1861–1865, or either of them, purporting to be stamped with the Official Stamp of the Office of the said Secretary, and to be signed by any Person by Order of the said Secretary of State, shall also be admissible in Evidence. Copies of Orders of Commissioners.

54. Every Person who upon Examination before the Commissioners, or any One of them, wilfully gives false Evidence, and every Person who wilfully swears, affirms, or declares falsely in any Affidavit relating to any Matter within the Cognizance of the Commissioners, shall be liable to the Pains and Penalties of Perjury. Penalty for false swearing.

55. Proceedings before the Commissioners shall not abate or be suspended by any Death or Transmission or Change of Interest; but in Proceedings not to abate by Death, &c.

in any such Case of Death or Transmission or Change of Interest it shall be lawful for the Commissioners, when they see fit, to require Notices to be given to Persons becoming interested, or to make any Orders for continuing, suspending, or carrying on the Proceedings, or otherwise in relation thereto, which to the Commissioners appears just.

Miscellaneous.

Power in certain Cases to award Imprisonment with Hard Labour instead of Penalty.

56. Where any Person has been convicted twice of an Offence under any of the following Sections of the Salmon Fishery Act, 1861, that is to say, Sections Eight, Nine, Fourteen, Seventeen, and Nineteen, he may, on being convicted a Third Time of an Offence against any of the said Sections, instead of being fined in a pecuniary Penalty, be sentenced to Imprisonment with or without Hard Labour for any Period not exceeding Six Months, and, if a Licensee, he shall on being convicted a Second Time of an Offence against the Salmon Fishery Acts, 1861, 1865, forfeit his Licence.

Minimum Penalties.

57. The Penalty in respect of any Offence under the Salmon Fishery Acts, 1861–1865, shall on a Conviction for a Second Offence be not less than One Half the greatest Penalty capable of being imposed in respect of such Offence; and on a Conviction for a Third or any subsequent Offence the greatest Amount of Penalty mentioned in the said Acts shall be imposed; but nothing herein contained shall affect the Provisions of the Salmon Fishery Act, 1865, in respect of the Discretion of imposing the Punishment of Hard Labour as therein mentioned.

Forfeiture of Nets, &c.

58. Where any Person has been convicted of an Offence under Section Seventeen of the Salmon Fishery Act, 1861, he shall, in addition to the Penalties thereby incurred, forfeit any Net or moveable Instrument used in committing such Offence, and the convicting Justices shall direct the same to be sold or destroyed, and the Proceeds of such Sale shall be paid to the Conservators of the District.

Limit of Time for Compensation for Fish Pass.

59. Whereas by the Twenty-third Section of the Salmon Fishery Act, 1861, any Person sustaining Loss by reason of a Person or Body of Persons affixing a Fish Pass to a Dam, in pursuance of that Section, may recover Compensation for such Injury in a summary Manner from the Person or Body of Persons by whom such Fish Pass has been affixed: Be it enacted, That no such Compensation shall be recovered unless Proceedings for the Recovery of the same are instituted within Two Years after the Time at which the Fish Pass was first affixed to the Dam.

60. Where

60. Where any Person, under the Salmon Fishery Act, 1861, is exempted from a Penalty in respect of using or having in his Possession Salmon Roe on the Ground that he uses or has it in his Possession for artificial Propagation or other scientific Purposes, or is upon the same Ground exempt from a Penalty in respect of taking or having in his Possession unclean or unseasonable Salmon, or catching or attempting to catch Salmon when spawning or near their Spawning Beds, he shall not, if within a District where a Board of Conservators is established, be exempt in any of the above Cases from such Penalty unless the Consent of the Board has been given in Writing to such Use or Possession of Salmon Roe, or to such taking Possession of unclean or unseasonable Salmon.

Consent of Conservators necessary for artificial Propagation of Salmon.

61. No Justice of the Peace shall be disqualified from hearing any Case arising under the Salmon Fishery Acts, 1861, 1865, or either of them, by reason of his being a Conservator or a Member of a Board of Conservators, or a Subscriber to any Society for the Protection of Salmon or Trout; provided that no Justice shall be entitled to hear any Case in respect of an Offence committed on his own Land.

As to Disqualification of Justices.

62. Where any Penalty is recovered on the Complaint of a Board of Conservators or of any Officer of or Person authorized by a Board of Conservators, the Court shall, unless for special Reason they think it inexpedient so to do, direct the whole of the Penalty and the Proceeds of any Forfeiture to be paid to the said Board, to be applied by them for the Purposes of the Salmon Fishery Acts, 1861, 1865.

Payment of Penalties to Conservators in certain Cases.

63. The River *Esk*, together with its Banks and Tributary Streams up to their Source, shall be deemed to be within the Limits of the Salmon Fishery Acts, 1861 and 1865: Provided that all Offences against the said Acts committed within *Scotch* Jurisdiction shall be prosecuted and punished in manner directed by the "Salmon Fisheries (*Scotland*) Act, 1862."

River Esk within Limits of Act.

64. The Sections of the Salmon Fishery Act, 1861, that apply to fishing with Lights, Spears, and other prohibited Instruments, and to using Roe as a Bait, and which are numbered respectively Eight and Nine, as amended by this Act, shall apply to Trout in a Salmon River situate in a Fishery District which is subject to a Board of Conservators appointed under this Act; and in any such River no Person shall fish for, catch or attempt to catch, or kill any Trout between the Second Day of *November* and the First Day of *February* following, both inclusive; and any Person wilfully killing any Trout in any such River as aforesaid during such

Partial Application of Salmon Acts to Trout in Salmon Rivers.

such Interval as aforesaid shall forfeit any Trout caught by him, and shall, in addition thereto, be liable to a Penalty not exceeding Two Pounds for each Offence: Provided always, that nothing herein contained shall apply to any Person having in his Possession Trout or Trout Roe for the Purpose of artificial Propagation or other Purpose, if such Person has the Permission in Writing of the Board of the District in which the River runs from whence such Trout or Trout Roe has been taken to catch such Trout, and to have in his Possession such Trout or Trout Roe for the Purposes aforesaid.

Provisions as to Exportation of Salmon.

65. All Salmon intended for Exportation shall be entered for that Purpose with the proper Officer of Customs, at the Port or Place of intended Exportation, before Shipment thereof; and any Salmon shipped or exported, or brought to any Wharf, Quay, or other Place for Exportation, between the Third Day of *September* and the Second Day of *February* following, contrary to this Section, shall be forfeited, and the Person shipping or exporting, or bringing the same for Exportation, shall be liable to a Penalty not exceeding Two Pounds for every Salmon so shipped or exported, or brought for Exportation; and any Officer of the Customs may, between the Third Day of *September* and the Second Day of *February*, open any Parcel entered or intended for Exportation, or brought to any Quay, Wharf, or other Place for that Purpose, and suspected by him to contain Salmon, and may detain any Salmon found in such Parcel until Proof is given, in manner provided by Law, of the Salmon being such as may be legally exported; and if the Salmon, before such Proof is given, become unfit for Human Food, the Officer of Customs may destroy the same.

Appeal to Quarter Sessions in case of summary Conviction.

66. If any Person feels aggrieved by any Determination or Adjudication of the Justices with respect to any Penalty or Forfeiture under the Salmon Fishery Acts, 1861, 1865, or either of the said Acts, the Person so aggrieved may appeal to the Court of General or Quarter Sessions for the County or Place in which the Cause of Appeal has arisen, holden not less than Fifteen Days and not more than Four Months after the Decision of the Justices from which the Appeal is made; provided that the Appellant shall, within Three Days after the Cause of Appeal has arisen, give Notice in Writing to the other Party to the Proceedings of his Intention to appeal, and of the Grounds thereof; and also provided that the Appellant shall, within Three Days after the Cause of Appeal has arisen, enter into a Recognizance before a Justice of the Peace, with Two sufficient Sureties, conditioned personally to try such Appeal and to abide the Judgment of the Court thereon, and

and to pay such Costs as may be awarded by the Court: The Court may adjourn the Appeal, and upon the Hearing thereof may confirm, reverse, or modify the Decision of the Justices, with or without Costs, to be paid by either Party.

FIRST SCHEDULE.

License Duties.

		Maximum. £	s.	d.
Draft or Hang Nets	each	5	0	0
Coracle Nets	„	2	0	0
Box, Crib, or Cruive	„	10	0	0
Putts	„	0	2	6
Putchers, under 50		1	0	0
For every additional 50 or Part thereof		1	0	0
For Outriggers or Leaders to Putts or Putchers of 100 Yards in Length, or under		1	0	0
For any Outriggers or Leaders of greater Length		5	0	0
For V-Weirs, or Gog-heads or Baulks, each		10	0	0
Otter, Lath, or Jack	each	3	0	0
Cross Line	„	2	0	0

For any Instrument not named in this Schedule, and not being a Rod and Line, such Sum as may be determined by the Conservators with the Approval of the Secretary of State.

SECOND SCHEDULE.

Form A.

Advertisement.—Salmon Fishery Acts, 1861, 1865.

Notice is hereby given, That the Special Commissioners for English Fisheries will hold a Court

and at such Court will proceed to inquire into the Legality of all Fishing Weirs, Fishing Milldams, and fixed Engines situate on the

and all Persons interested in such Engines are required to attend at such Court from Day to Day until discharged, in order that a Decision may be made by the said Commissioners with respect to the Removal of such Fishing Weirs or fixed Engines, or the Alteration of such Fishing Milldams, or that such other Order may be made by them in the Premises as the Facts of each Case appear to warrant.

Form

FORM B.

NOTICE.

To the Owner of the

, and all other Persons interested therein.

Take notice, you are required to appear before us, the Special Commissioners for English Fisheries,

and thenceforward from Day to Day until discharged, in order that there may be then and there an Inquiry by us touching the Legality of and that a Decision may be made by us with respect to their Removal, or that such other Order may be made by us in the Premises as the Facts of the Case may appear to us to warrant.

Given under our Hands and under the Common Seal of the said Commissioners this Day of 186 .

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.

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VICTORIÆ REGINÆ.

***

'I will use the Form in the said Book prescribed, and none other, 'except so far as shall be ordered by lawful Authority.'

The Declaration against Simony.

2. The following Declaration is herein-after referred to as "the Declaration against Simony:"

'I *A.B.* solemnly declare, That I have not made, by myself or 'by any other Person on my Behalf, any Payment, Contract, 'or Promise of any Kind whatsoever which to the best of my 'Knowledge or Belief is simoniacal, touching or concerning the 'obtaining the Preferment of
'nor will I at any Time hereafter perform or satisfy, in whole or 'in part, any such Kind of Payment, Contract, or Promise made 'by any other without my Knowledge or Consent.'

Stipendiary Curate's Declaration.

3. The following Declaration is herein-after referred to as "the Stipendiary Curate's Declaration:"

'I *A.B.*, Incumbent of in the County of 'bonâ fide undertake to pay to *C.D.* 'of in the County of the 'annual Sum of Pounds as a Stipend for his 'Services as Curate, and I *C.D.* bonâ fide intend to receive the 'whole of the said Stipend.

'And each of us the said *A.B.* and *C.D.* declare that no Abate-'ment is to be made out of the said Stipend in respect of Rent or 'Consideration for the Use of the Glebe House; and that I *A.B.* 'undertake to pay the same, and I *C.D.* intend to receive the same, 'without any Deduction or Abatement whatsoever.'

Subscription and Oaths on Ordination.

4. Every Person about to be ordained Priest or Deacon shall, before Ordination, in the Presence of the Archbishop or Bishop by whom he is about to be ordained, at such Time as he may appoint, make and subscribe the Declaration of Assent, and take and subscribe the Oath of Allegiance and Supremacy according to the Form set forth in the Act of the Session of the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter Forty-eight.

Subscription and Oaths on Institution to Benefice or Licence to a Perpetual Curacy, &c.

5. Every Person about to be instituted or collated to any Benefice, or to be licensed to any Perpetual Curacy, Lectureship, or Preachership, shall, before Institution or Collation is made or Licence granted, make and subscribe the Declaration of Assent, and the Declaration against Simony, and take the said Oath of Allegiance and Supremacy, in the Presence of the Archbishop or Bishop by whom he is to be instituted, collated, or licensed, or the Commissary of such Archbishop or Bishop.

6. Every

6. Every Person about to be licensed to a Stipendiary Curacy shall, before obtaining such Licence, present to the Archbishop or Bishop by whom the Licence is to be granted, the Stipendiary Curate's Declaration, signed by himself and by the Incumbent of the Benefice to which he is about to be licensed. Declaration on taking a Stipendiary Curacy.

7. Every Person instituted or collated to any Benefice with Cure of Souls, or licensed to a Perpetual Curacy, shall, on the first Lord's Day on which he officiates in the Church of such Benefice or Perpetual Curacy, or on such other Lord's Day as the Ordinary may appoint and allow, publicly and openly, in the Presence of the Congregation there assembled, read the Thirty-nine Articles of Religion, and immediately after reading the same make the said Declaration of Assent, adding, after the Words "Articles of Religion," in the said Declaration, the Words "which I have now read before you." Declaration after Institution or Collation.

If any Person instituted, collated, or licensed as aforesaid wilfully fails to comply with the Provisions of this Section, he shall absolutely forfeit his Benefice or Perpetual Curacy, but no Title to present by Lapse shall accrue by any such Forfeiture until the Ordinary has given Six Months Notice thereof to the Patron.

8. Every Person licensed to a Stipendiary Curacy shall, in the Presence of the Archbishop or Bishop by whom he was licensed, or of the Commissary of such Archbishop or Bishop, (unless, having been ordained on the same Day, he has already made and subscribed the same,) make and subscribe the Declaration of Assent, and on the first Lord's Day on which he officiates in the Church or in One of the Churches in which he is licensed to serve publicly and openly make the Declaration of Assent in the Presence of the Congregation there assembled, and at the Time of Divine Service. Declaration after Licence to Stipendiary Curacy.

If any Person licensed to a Stipendiary Curacy wilfully fails to comply with the Provisions of this Section his Licence shall be void.

9. Subject as herein-after mentioned, no Person shall, on or as a Consequence of Ordination, or on or as a Consequence of being licensed to any Stipendiary Curacy, or on or as a Consequence of being presented, instituted, collated, elected, or licensed to any Benefice with Cure of Souls, Perpetual Curacy, Lectureship, or Preachership, be required to make any Subscription or Declaration, or take any Oath, other than such Subscriptions, Declarations, and Oath as are required by this Act. No other Declaration or Oaths than those required by Act to be enforced.

10. On all Occasions other than those herein-before provided for, on which any Declaration or Subscription with respect to the Thirty-nine Declaration of Assent to be substituted in case

of other Ecclesiastical Appointments.

nine Articles or the Book of Common Prayer or the Liturgy is required to be made by any Person in Holy Orders appointed to any Ecclesiastical Dignity, Benefice, or Office, the making and subscribing the Declaration of Assent shall be substituted for the making any such Declaration or Subscription as aforesaid; and on all Occasions other than those herein-before provided, on which any Oath against Simony is required to be taken, the making and subscribing the Declaration against Simony shall be substituted for the taking such Oath.

Oaths not to be administered during Ordination or Consecration Services.

11. No Oath shall be administered during the Service for the Ordering of Deacons, or during the Service for the Ordering of Priests, or during the Service for the Consecration of Archbishops and Bishops.

Nothing to affect Oath of canonical Obedience to Bishops, &c.

12. Nothing in this Act contained shall extend to or affect the Oath of canonical Obedience to the Bishop, or the Oath of due Obedience to the Archbishop taken by Bishops on Consecration.

Extent of Act.

13. That this Act do extend to the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark*, and to the *Isle of Man*.

Short Title.

14. This Act may be cited for all Purposes as "The Clerical Subscription Act, 1865."

As to Repeal of Acts in Schedule.

15. The Enactments described in the Schedule hereto, and all Enactments amending, confirming, or continuing the same, and all other Enactments inconsistent with this Act, are hereby repealed.

SCHE-

SCHEDULE.

Title of Act.	Description of repealed Enactments.
28 Hen. 8. c. 15. (Irish).	The whole of Sections Nine and Ten.
1 Eliz. c. 1. An Act to restore to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all foreign Powers repugnant to the same.	Sections * Nineteen, Twenty, Twenty-one, Twenty-two, and Twenty-three, so far as they relate to any Oath to be taken by a Person who is ordained or licensed to a Stipendiary Curacy, or presented, instituted, collated, elected, or licensed to any Benefice, Perpetual Curacy, Lectureship, or Preachership.
2 Eliz. c. 1. (Irish). An Act restoring to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all foreign Power repugnant to the same.	Sections Seven, Eight, and Nine, so far as they relate to any Oath to be taken by a Person who is ordained or licensed to a Stipendiary Curacy, or presented, instituted, collated, elected, or licensed to any Benefice, Perpetual Curacy, Lectureship, or Preachership.
13 Eliz. c. 12. An Act for the Ministers of the Church to be of sound Religion.	The whole of Section Three, except the Words following: "No Person shall hereafter be admitted to any " Benefice with Cure, except he then be of the Age " of Three-and-twenty Years at the least, and a " Deacon." And so much of Section Five as provides that no one shall be admitted to the Order of Deacon or Ministry unless he shall first subscribe to the said Articles.
13 & 14 Chas. 2. c. 4. An Act for the Uniformity of Public Prayers and Administration of Sacraments and other Rites and Ceremonies, and for establishing the Form of making, ordaining, and consecrating Bishops, Priests, and Deacons in the Church of England.	The whole of Sections Six, Eight, and Eleven, and Section Nineteen, except the Words following: "No " Person shall be or be received as a Lecturer, or " permitted, suffered, or allowed to preach as a " Lecturer, or to preach or read any Sermon or " Lecture in any Church, Chapel, or other Place " of Public Worship within this Realm of England, " or the Dominion of Wales and Town of Berwick-" upon-Tweed, unless he be first approved and " thereunto licensed by the Archbishop of the " Province or Bishop of the Diocese, or (in case " the See be void) by the Guardian of the Spiri-" tualities under his Seal."
17 & 18 Chas. 2. c. 6. (Irish).	The whole of Sections Three, Five, and Six, and Section Eighteen, except the Words following: "That no Person shall be or be received as a " Lecturer, or permitted, suffered, or allowed to " preach as a Lecturer, or to preach or read any " Sermon or Lecture in any Church, Chapel, or " other Place of Public Worship within this Realm of " Ireland, unless he be first approved and thereunto " licensed by the Archbishop of the Province or " Bishop of the Diocese, or (in case the See be " void) by the Guardian of the Spiritualities under " his Seal."

* The Numbers of the Sections correspond with the Numbers in the ordinary Editions of the Statutes.

Clerical Subscription.

Title of Act.	Description of repealed Enactments.
1 Wm. & Mary, c. 8. An Act for the abrogating the Oaths of Supremacy and Allegiance and appointing other Oaths.	The whole Act so far as relates to any Oath to be taken by any Person who is ordained or is licensed to a Stipendiary Curacy, or presented, instituted, collated, elected, or licensed to any Benefice, Perpetual Curacy, Lectureship, or Preachership.
3 Will. & Mary, cap. 2. An Act for the abrogating the Oath of Supremacy in Ireland and appointing other Oaths.	So much of Section Four as relates to Persons admitted to any Ecclesiastical Office or Employment.
1 Geo. 1. st. 2. c. 13. An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales and his open and secret Abettors.	Sections Two and Seven, so far as they relate to any Oath to be taken by any Person who is ordained or is licensed to a Stipendiary Curacy, or presented, instituted, collated, elected, or licensed to any Benefice, Perpetual Curacy, Lectureship, or Preachership.
23 G. 2. c. 28.	The whole Act.
1 & 2 Vict. c. 106	Part of Section Eighty-one, beginning with the Words "and in every Case in which Application "shall be made" to the End of the Section.

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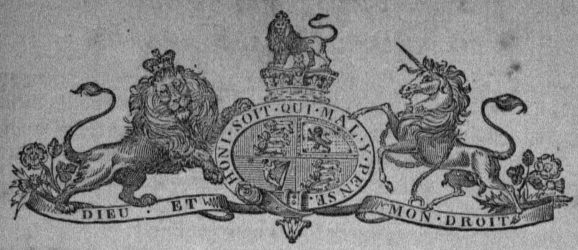

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VICTORIÆ REGINÆ.

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CAP. CXXIII.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year ending Thirty-first *March* One thousand eight hundred and sixty-six, and to appropriate the Supplies granted in this Session of Parliament. [6th *July* 1865.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

There shall be applied for the Service of the

1. There shall and may be issued and applied, for or towards making good the Supply granted to Her Majesty for the Service

 of

Year ending 31st March 1866 the Sum of 23,342,558*l.* 3*s.* 3*d.* out of the Consolidated Fund.

of the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six, the Sum of Twenty-three million three hundred and forty-two thousand five hundred and fifty-eight Pounds Three Shillings and Threepence out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury for the Time being are hereby empowered to issue and apply the same accordingly.

The Treasury may cause 23,342,558*l.* 3*s.* 3*d.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

2. The Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-three million three hundred and forty-two thousand five hundred and fifty-eight Pounds Three Shillings and Threepence, and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

The Clauses, &c. in recited Acts extended to this Act.

3. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act as fully and effectually, to all Intents and Purposes, as if particularly repeated and re-enacted in this Act.

Interest on Exchequer Bills.

4. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 23,342,558*l.* 3*s.* 3*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

5. It shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-three million three

three hundred and forty-two thousand five hundred and fifty-eight Pounds Three Shillings and Threepence, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any other Act or Acts, to the contrary notwithstanding.

Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

6. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Exchequer Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Monies raised by Exchequer Bills to be applied to the Services voted by the Commons

7. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as then shall have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

8. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* at any Period not later than the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Treasury may apply for the Service of the Year 1865–6 1,318,526*l.* 16*s.* 9*d.*, Sur-

9. There shall and may be issued and applied for or towards making good the Supply granted to Her Majesty for the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred

plus of Ways and Means.

hundred and sixty-six the Sum of One million three hundred eighteen thousand five hundred and twenty-six Pounds Sixteen Shillings and Ninepence, being the Surplus of Ways and Means granted for the Service of preceding Years, and the Commissioners of Her Majesty's Treasury are hereby authorized and empowered to issue and apply the same accordingly.

Schedule (A.) (Part 1st.) 39,836,735*l.*

10. All the Monies coming into the Exchequer of the United Kingdom of *Great Britain* and *Ireland* by the Acts set forth in the Schedule (A.) to this Act, amounting in the aggregate to the Sum of Thirty-nine million eight hundred and thirty-six thousand seven hundred and thirty-five Pounds, are hereby appropriated and shall be issued and applied for or towards the several Uses and Purposes herein-after expressed.

Moiety of Charge for Redemption of Scheldt Toll, 175,650*l.* (1864–5.)

11. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred seventy-five thousand six hundred and fifty Pounds, to defray the second Moiety of the Charge payable by *Great Britain*, under the Treaty dated the Sixteenth Day of *July* One thousand eight hundred and sixty-three, for the Redemption of the *Scheldt* Toll, to the Thirty-first Day of *March* One thousand eight hundred and sixty-five.

Navy Services, 10,456,139*l.* Schedule (B.)

12. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Ten million four hundred fifty-six thousand one hundred and thirty-nine Pounds for or towards the Navy Services more particularly mentioned in the Schedule (B.) to this Act, to defray the Charges for the several Services specified in the said Schedule which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

Army Services, 14,348,447*l.* Schedule (C.)

13. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Fourteen million three hundred forty-eight thousand four hundred and forty-seven Pounds, for or towards the Army Services more particularly mentioned in the Schedule (C.) to this Act, to defray the Charges for the several Services specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

Exchequer Bonds, 1,000,000*l.*

14. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One million Pounds, to pay off and discharge Exchequer Bonds

Bonds which will become payable during the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

15. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (D.) to this Act, to defray the Charges of the several Civil Services (Class I.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

CIVIL SERVICES. *Class 1.* 829,370*l.* Schedule (D.)

16. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (E.) to this Act, to defray the Charges of the several Civil Services (Class II.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

CIVIL SERVICES. *Class 2.* 1,580,165*l.* Schedule (E.)

17. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (F.) to this Act, to defray the Charges of the several Civil Services (Class III.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

CIVIL SERVICES. *Class 3.* 2,897,515*l.* Schedule (F.)

18. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (G.) to this Act, to defray the Charges of the several Civil Services (Class IV) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

CIVIL SERVICES. *Class 4.* 1,360,821*l.* Schedule (G.)

19. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (H.) to this Act, to defray the Charges of the several Civil Services (Class V.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

CIVIL SERVICES. *Class 5.* 476,106*l* Schedule (H.)

20. Out

Civil Services Class 6 — 339,107*l.* Schedule (I.)

20. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (I.) to this Act, to defray the Charges of the several Civil Services (Class VI.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

Civil Services Class 7 — 174,768*l* Schedule (J.)

21. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (J.) to this Act, to defray the Charges of the several Civil Services (Class VII.) specified in the said Schedule, which will come in course of Payment in the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

Revenue Departments, 4,856,760*l* Schedule (K.)

22. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (K.) to this Act, to defray the Charges for the Services of the several Revenue Departments specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

Post Office Packet Service, 841,867*l*

23. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Eight hundred forty-one thousand eight hundred and sixty-seven Pounds, to defray the Charge of the Post Office Packet Service, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six, no Part of which Sum is to be applicable or applied in or towards making any Payment in respect of any Period subsequent to the Twentieth Day of *June* One thousand eight hundred and sixty-three to Mr. *Joseph George Churchward*, or to any Person claiming through or under him by virtue of a certain Contract, bearing date the Twenty-sixth Day of *April* One thousand eight hundred and fifty-nine, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the First Part, and the said *Joseph George Churchward* of the Second Part, or in or towards the Satisfaction of any Claim whatsoever of the said *Joseph George Churchward* by virtue of that Contract, so far as relates to any Period subsequent to the Twentieth Day of *June* One thousand eight hundred and sixty-three.

24. Out

24. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seven hundred thousand Pounds, to defray the Charge for Advances for the Purchase of a Site and for other Expenses for the new Courts of Justice, and Offices belonging thereto, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

Advances for new Courts of Justice, 700,000*l*

25. The said Aids and Supplies provided as aforesaid shall not be issued or applied to any Use, Intent, or Purpose whatsoever, other than the Uses, Intents, and Purposes before mentioned or specified in the several Schedules referred to in this Act, or for the other Payments, Appropriation, or Application directed to be made or satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts, of this Session of Parliament.

Supplies to be applied only for the Purposes aforesaid.

26. Whereas the Commissioners of the Treasury, under the Powers vested in them by the Act Twenty-sixth and Twenty-seventh *Victoria*, Chapter Ninety-nine, Section Twenty-four, have authorized Expenditure not provided for in the Sums appropriated to Naval and Military Services by the said Act to be temporarily defrayed out of Surpluses which have arisen by the Saving of Expenditure upon Votes within the same Department for the Year ended on the Thirty-first Day of *March* One thousand eight hundred and sixty-four, as follows:

Sanction for Navy and Army Expenditure for 1863–4 unprovided for

1st, Two hundred ninety-eight thousand and nine Pounds Three Shillings and Eightpence for Navy Services unprovided for in the Grants for Navy Services for the said Year temporarily defrayed out of Surpluses, amounting to Four hundred ninety-four thousand three hundred and sixty Pounds Two Shillings and Fourpence, which have arisen upon certain Votes for Navy Services for the same Year:

Navy Deficiency, 298,009*l.* 3*s* 8*d*

Navy Surplus, 494,360*l* 2*s* 4*d*

2nd, Two hundred ten thousand three hundred and eighty-one Pounds Eleven Shillings and Tenpence for Army Services unprovided for in the Grants for Army Services for the said Year temporarily defrayed out of Surpluses, amounting to Seven hundred eighty-nine thousand three hundred and seventy-eight Pounds Twelve Shillings and Ninepence, which have arisen upon certain Votes for Army Services for the same Year:

Army Deficiency, 210,381*l* 11*s* 10*d*

Army Surplus, 789,378*l* 12*s* 9*d*.

It is enacted that the Application of so much of the said Surpluses to cover the said Deficiencies is hereby sanctioned.

27. The respective Departments charged with the detailed Application of the Sums granted by this Act for Navy and Army Services

Expenditure for Navy and Army Services

respectively to be confined to the separate Services for which granted.

10,456,139*l.*
14,348,447*l.*

vices shall confine the Expenditure of their respective Departments within the particular Amounts appropriated to each of the separate Services comprised in the Sum of Ten million four hundred fifty-six thousand one hundred and thirty-nine Pounds granted by this Act for Naval Services, and in the Sum of Fourteen million three hundred forty-eight thousand four hundred and forty-seven Pounds granted by this Act for Army Services: Provided always, that if a Necessity shall arise for incurring Expenditure not provided for in the Sums appropriated to Naval and Military Services by this Act, and which it may be detrimental to the Public Service to postpone until Provision can be made for it by Parliament in the usual Course, the respective Departments shall forthwith make Application in Writing to the Commissioners of Her Majesty's Treasury for their Authority to defray temporarily such Expenditure out of any Surpluses which may have been or which may be effected by the Saving of Expenditure upon Votes within the same Department, and in such Applications the Departments shall represent to the Commissioners of the Treasury the Circumstances which may render such additional Expenditure necessary, and thereupon it shall be lawful for the said Commissioners to authorize the Expenditure unprovided for as aforesaid to be temporarily defrayed out of any Surpluses which may have been or which may be effected as aforesaid upon Votes within the same Department; and a Statement showing all Cases in which the Naval and Military Departments shall have obtained the Sanction of the said Commissioners to any Expenditure not provided for in the respective Votes aforesaid, accompanied by Copies of the Representations made to them by the said Departments, shall be laid before the House of Commons not later than One Month after the Accounts of the Receipt and Expenditure for Navy and for Army Services for the Year shall respectively have been rendered to the Commissioners of Audit, if Parliament be then sitting, and if not then within One Week after Parliament shall be next assembled, in order that such Proceedings may be submitted for the Sanction of Parliament, and that Provision may be made for the Deficiencies upon the several Votes for the said Services in such Manner as Parliament shall determine: Provided also, that the Commissioners of the Treasury shall not authorize any Expenditure which may cause an Excess upon the aggregate Sum of Ten million four hundred fifty-six thousand one hundred and thirty-nine Pounds granted by this Act for Naval Services, and upon the Sum of Fourteen million three hundred forty-eight thousand four hundred and forty-seven Pounds granted by this Act for Army Services.

Treasury may, in certain Cases of Exigency, authorize Expenditure unprovided for; provided that the aggregate Grants for the Navy Services and for the Army Services respectively be not exceeded.

Rules to be observed in the Application of

28. And as to the Sum of Three hundred twenty-four thousand three hundred and fifty-nine Pounds, being the Proportion of the Sum

Sum of Four hundred and fifty-five thousand Pounds by this Act appropriated to the Pay of Reduced and Retired Officers, which is applicable to the Half Pay of Officers of Her Majesty's Forces, it is hereby enacted and declared, That the Rules hereafter prescribed shall be duly observed in the Application of the said Half Pay; (that is to say,) that no Person shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf; that no Person shall have or receive any Part of the same who was under the Age of Sixteen Years at the Time when the Regiment, Troop, or Company in which he served was reduced; that no Person shall have or receive any Part of the same who did not do actual Service in some Regiment, Battalion, Troop, or Company in Her Majesty's Service, except in Cases in which the Commission was received under Circumstances which did not, according to the Regulations of the Army, require the Officer to serve; that no Person shall have or receive any Part of the same who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Person as would have been otherwise entitled thereto as a Reduced Officer; that no Person shall have or receive any Part of the same for any Time during which he shall hold any other Military Place or Employment of Profit under Her Majesty, or in Her Majesty's Colonies or Possessions beyond the Seas, except on the Staff or in Garrison, and that in such excepted Cases, or in Cases of his holding any Military Place or Employment of Profit under another Government, no Officer shall receive any Part of his Half Pay unless with Her Majesty's Approbation, to be signified by the Secretary of State for War to the Paymaster General, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the other Military Place or Employment of Profit on the Staff or in Garrison which he may hold or have held under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government; that no Person who shall, on or before the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, have held any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, except in Cases in which the same shall not exceed Three Times the Amount of the highest Rate of Half Pay attached to the Rank in virtue of which he claims to receive Half Pay or as herein-after mentioned, nor in any such excepted Cases unless

the Sum appropriating Half Pay.

Schedule (C)

Her Majesty's special Approbation be signified as aforesaid, and the Officer claiming the Half Pay in pursuance of such Approbation shall signify in his Declaration the Civil Place or Employment of Profit which he may hold or have held as aforesaid; but if the net annual Emoluments of such Civil Place or Employment shall exceed Three Times the Amount of Half Pay as aforesaid, and shall fall short of Four Times that Amount, then it shall be lawful for the Paymaster General, with Her Majesty's Approbation signified by the Secretary of State for War as aforesaid, to issue, on or before the Twenty-fourth Day of *December* One thousand eight hundred and sixty-five, so much of the Half Pay claimed by any such Officer as shall, together with the net annual Emoluments of the Civil Place or Employment, be equal to Four Times the Amount of such Half Pay, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the Civil Place or Employment of Profit which he may have held as aforesaid, and the actual Amount of the Emoluments thereof, in such Manner and Form, and calculated up to such Period or Periods, as shall be required by the Secretary of State for War; but no Person who, after the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, has been appointed to any Civil Place or Employment of Profit (except in Her Majesty's Household) under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit (except as aforesaid) under Her Majesty beyond the Seas, or under any other Government, other than that of a Barrack Master under the Secretary of State for War, who shall, under the Restrictions before mentioned, be entitled to receive his Half Pay: Provided always, that nothing in this Act contained shall prevent any Person from receiving his Half Pay who shall be serving as an Adjutant in the Volunteer Force, or who shall be entitled to the same under any Act or Acts relating to the General or Local Militia, or to the Yeomanry, but that every such Adjutant shall receive the same on making and subscribing such Declaration as shall be specified in the Regulations made for the Volunteer Force, under the Provisions of the Volunteer Act, 1863, and every other Person shall receive the same according to the Provision of any such Act or Acts; and also every Surgeon, Serjeant Major, Serjeant, Corporal, and Private serving in the General or Local Militia, or in any Corps of Yeomanry or Volunteers, in *Great Britain* or *Ireland*, may and shall receive any Half Pay, together with any Pay in the General or Local Militia, or Yeomanry or Volunteers, upon making and subscribing a Declaration in any Case in which an Oath or Declaration shall be required in and by any Act or Acts, or specified in any Warrant of Her Majesty, as the Case may be, and stating

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

stating in such Declaration the Commission or Employment which he held in the General or Local Militia, the Yeomanry or Volunteers: Provided always, that from and after the First Day of *January* One thousand eight hundred and sixty-six it shall be lawful for the Paymaster General to issue the Half Pay or any Portion thereof to any Officer appointed to Civil Place or Employment of Profit under Her Majesty or any other Government since the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, if Her Majesty's Pleasure to that Effect be signified by the Commissioners of Her Majesty's Treasury through the Secretary of State for War, but such Permission to be granted under the Restrictions before mentioned: Provided always, that an Account shall be laid before Parliament in every Year on or before the First Day of *April*, if Parliament be then sitting, or, if Parliament shall not then be sitting, on the First Day of the Sitting of Parliament after the First Day of *April*, of the Number of Officers who are allowed to receive their Half Pay with Civil Emoluments, specifying the Names of such Officers, with the respective Amounts of their Half Pay, and the Emoluments of their respective Civil Employments, and distinguishing in every such Account the Officers to whom such Half Pay shall have been allowed subsequent to preceding Accounts.

Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.

An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

29. It shall be lawful for the Commissioners of Her Majesty's Treasury to authorize the receiving Half Pay by Military Officers with Civil Employments in any Cases in which the said Commissioners shall be of opinion that the Employment of such Military Officers in the Colonies or elsewhere in Civil Situations of Responsibility with small Emoluments will be conducive to Economy, and thereby beneficial to the Public Service, and in every such Case the Officer authorized to receive Half Pay with the Salary or Emolument of any Civil Employment shall signify the same in his Declaration, specifying the Office, and the Authority under which he is so allowed to receive his Half Pay.

Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

30. And whereas Chaplains of Regiments who have been placed upon Half Pay have not been allowed to receive such Half Pay in some Years in consequence of being in possession at the Time of certain Ecclesiastical Benefices or Preferments, though the same were not in the Patronage of the Crown: And whereas it has been judged fair and reasonable that they should be allowed to receive such Half Pay, though in possession of Ecclesiastical Preferment, provided the same was private Patronage, and not derived from the Crown, and that they should be entitled to receive the Arrears of Half Pay for such former Years as aforesaid: Be it therefore enacted, That all Chaplains who, after having been placed upon Half Pay, shall

Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown

shall have been refused or been unable to receive such Half Pay in any Year in consequence of holding any Ecclesiastical Benefice not derived from or in the Gift of the Crown, shall be entitled to receive the Arrears of such Half Pay for such Year, upon making and subscribing a Declaration before the proper Officer for administering Declarations to Persons for entitling them to receive Half Pay that they held no Ecclesiastical Benefice or Preferment in any Year derived from the Crown, nor any Place or Employment of Profit under Her Majesty, and the making and subscribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Chaplain to receive his Half Pay.

Widows, &c. claiming Pensions to make required Declaration. (Schedule C.)

31. And as to the Sum of One hundred and sixty-two thousand and one hundred Pounds by this Act appropriated for defraying the Charge of Pensions to be paid to the Widows of Officers of Her Majesty's Land Forces, and for defraying the Charge of Allowances on the Compassionate List as aforesaid, it is hereby enacted and declared, That no Widow of an Officer of the Land Forces, and no Person claiming an Allowance on the Compassionate List, or of Allowances as of Her Majesty's Royal Bounty, shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf.

Declarations to be made as specified in 5 & 6 W. 4. c. 62.

32. Any such Declaration as well as all Declarations for other Army and Navy non-effective Services shall and may be made and subscribed before any One or more of Her Majesty's Justices of the Peace, Notary Public, resident Parish Minister, or other Person now by Law authorized to administer or receive such Declarations, or before any of the Persons appointed to examine Vouchers in the Office of the Paymaster General, in the Manner, and under the Pains, Penalties, and Forfeitures, specified in an Act passed in the Fifth and Sixth Years of His late Majesty for the Abolition of unnecessary Oaths.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE (A.)—WAYS AND MEANS.

PART 1st.

SCHEDULE of WAYS AND MEANS referred to in Section 10 of this Act; viz.:

For the Year 1864–5:

Granted per Act 28 Vict., Cap. 4, for the Service of the Year ending 31st March 1865 - - - -	175,650		

For the Year 1865–6:

Granted for the Service of the Year ending 31st March 1866; viz.:			
Per Act 28 Vict., Cap. 10 - - - -	15,000,000	–	
Per Section 1 of this Act - - - -	23,342,558	3	3
Per Section 9 of this Act (being Surplus Ways and Means granted for the Service of preceding Years)	1,318,526	16	9
Total Grants of WAYS AND MEANS to meet the following SUPPLIES { 1864–5 £175,650; 1865–6 39,661,085 }	£39,836,735	–	–

PART 2nd.

ABSTRACT of the SUPPLIES granted by this Act.

		£
For the Year 1864–5, Supplemental:		
Redemption of the Scheldt Toll (Section 11.) - - -		175,650
For the Year 1865–6:		
Navy Services - - (Sec. 12, Schedule B.) - -		10,456,139
Army Services - - (Sec. 13, Schedule C.) - - -		14,348,447
Exchequer Bonds - (Sec. 14) - - - -		1,000,000
	£	
Civil Services, Class I. (Sec. 15, Schedule D.) -	829,370	
Class II. (Sec. 16, Schedule E.) -	1,580,185	
Class III. (Sec. 17, Schedule F.) -	2,897,515	
Class IV. (Sec. 18, Schedule G.) -	1,360,821	
Class V. (Sec. 19, Schedule H.) -	476,106	
Class VI. (Sec. 20, Schedule I.) -	339,107	
Class VII. (Sec. 21, Schedule J.) -	174,768	
		7,657,872
Revenue Departments (Sec. 22, Schedule K.) - -		4,656,760
Post Office Packet Service (Sec. 23) - - - -		841,867
Advances for New Courts of Justice and Offices (Sec. 24) - -		700,000
Total of Supplies chargeable upon the above Ways and Means - - { 1864–5 £175,650; 1865–6 39,661,085 }	£	39,836,735

SCHEDULE (B.)—Supplies.

NAVY.

Schedule of Sums comprised in the Sum of 10,456,139*l.* granted by Section 12 of this Act, to defray the Charges of the Navy Services herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866; viz.:—

No.		Sums not exceeding £
1.	For Wages to 69,750 Seamen and Marines - - -	2,945,006
2.	For Victuals and Clothing for Seamen and Marines - -	1,325,694
3.	For Salaries of the Officers and Contingent Expenses of the Admiralty Office - - - - - -	175,957
4.	For Salaries and Expenses of the Coast Guard Service, the Royal Naval Coast Volunteers, and Royal Naval Reserve -	284,395
5.	For Salaries of the Officers and Contingent Expenses of the several Scientific Departments of the Navy - -	70,042
6.	For Salaries of the Officers and Contingent Expenses of Her Majesty's Naval Establishments at home - - -	192,415
7.	For Salaries of the Officers and Contingent Expenses of Her Majesty's Naval Establishments abroad - - -	37,332
8.	For Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at home - -	1,158,797
9.	For Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments abroad - -	72,585
10.	For Naval Stores for the building, Repair, and Outfit of the Fleet - - - - - - - -	1,134,572
10.	For Steam Machinery for Her Majesty's Ships and Vessels, and for Payments to be made for Ships and Vessels building or to be built by Contract - - - -	564,700
11.	For New Works, Buildings, Machinery, and Repairs in the Naval Establishments - - - - -	527,985
12.	For Medicines and Medical Stores - - - -	64,800
13.	For divers Naval Miscellaneous Services - - -	103,925
14.	For Half Pay, Reserved Half Pay, and Retirement to Officers of the Navy and Royal Marines - - - -	698,195
15.	For Military Pensions and Allowances - - -	507,211
16.	For Civil Pensions and Allowances - - - -	208,033
17.	For Freight of Ships, for the victualling and Conveyance of Troops, on account of the Army - - - -	320,580
18.	For Advances for the Establishment, Pensions, and Gratuities of Greenwich Hospital - - - -	63,915
	Total Navy Services - - £	10,456,139

SCHEDULE (C.)—SUPPLIES.

ARMY.

SCHEDULE of SUMS comprised in the Sum of 14,348,447*l.* granted by Section 13 of this Act, to defray the Charges of the ARMY SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866; viz :—

No.		Sums not exceeding £
1.	For the General Staff and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at home and abroad, exclusive of India	5,434,567
2.	For the Commissariat Establishment, Services, and Movement of Troops	1,205,800
3.	For Clothing Establishments, Services, and Supplies	574,256
4	For the Barrack Establishment, Services, and Supplies	609,900
5.	For Divine Service	44,335
6.	For Martial Law	26,300
7.	For the Medical Establishments, Services, and Supplies	246,544
8.	For the Disembodied Militia	786,400
9	For the Yeomanry	91,000
10.	For the Volunteers	334,900
11.	For the Enrolled Pensioners and Army Reserve Forces	46,000
12	For the Manufacturing Departments	972,900
13.	For Warlike Stores	485,000
14.	For the Superintending Establishment of, and the Expenditure for, Works, Buildings, and Repairs at home and abroad	811,400
15	For Military Education	163,500
16.	For the Surveys of the United Kingdom	88,345
17.	For Miscellaneous Services	107,700
18.	For the Administration of the Army	212,800
19.	For Rewards for Military Service	26,100
20.	For the Pay of General Officers	74,200
21.	For the Pay of Reduced and Retired Officers	455,000
22.	For Widows Pensions and Compassionate Allowances	162,100
23.	For Pensions and Allowances to Wounded Officers	28,200
24.	For Chelsea and Kilmainham Hospitals, and the In-pension thereof	33,200
25.	For the Out-pensioners of Chelsea Hospital, &c.	1,168,000
26.	For Superannuation Allowances, &c.	131,000
27	For the Non-effective Services of the Disembodied Militia and Yeomanry Cavalry	29,000
	TOTAL ARMY SERVICES £	14,348,447

SCHEDULE (D.)—SUPPLIES.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted by Section 15 of this Act, to defray the Charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866; viz.:—

No.		Sums not exceeding £
1.	For the Maintenance and Repair of the Royal Palaces -	48,836
2.	For the Maintenance and Repair of Public Buildings; for providing the necessary Supply of Water for the same; for Rents of Houses for the temporary Accommodation of Public Departments, and Charges attendant thereon -	100,590
3.	For the Supply and Repair of Furniture in the Public Departments - - - - - -	12,000
4.	For maintaining and keeping in repair the Royal Parks, Pleasure Gardens, &c. - - - - -	99,090
5.	For Works and Expenses at the New Houses of Parliament	49,456
6.	For the Maintenance and Repairs of Embassy Houses, &c. at Paris and Madrid - - - - -	5,708
7.	For the Maintenance and Repairs of the Embassy Houses, Chapel, Consular Offices, Hospital, Surgeon's House, and Prison at Constantinople - - - - -	3,455
8.	For erecting a new Office for the Secretary of State for Foreign Affairs - - - - - - -	60,000
9.	For the Industrial Museum in Edinburgh - - -	9,139
10.	For Expenses connected with the Probate Court and Registries	17,893
11.	For enlarging the Public Record Repository, and providing the necessary Fittings - - - - -	28,750
12.	For Expenses connected with the Bridge at Westminster -	12,000
13.	For completing the Stylobate, &c. of the Nelson Column in Trafalgar Square - - - - -	9,500
14.	For the Extension of the Buildings of the Patent Office -	4,500
15.	For a Contribution towards the Establishment and Maintenance of a Fire Brigade in the Metropolis - -	10,000
16.	For the Purchase of Land and Houses on the South Side of Downing Street, for a Site for Public Offices - - -	20,000
17.	For Repairs to the Legation House at Tangier - -	1,559
18.	For constructing certain Harbours of Refuge - -	76,000
19.	For Works and Expenses at the new Packet Harbour and Harbour of Refuge at Holyhead, for Portpatrick Harbour, and for Works at Spurn Point - - - -	49,930
20.	For erecting, repairing, and maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland - - - - - -	103,677
21.	For the Construction of new Record Buildings at the Four Courts, Dublin - - - - - -	6,000
22.	For Works at the National Gallery of Ireland - -	813
23.	For erecting and maintaining certain Lighthouses abroad -	19,474
24.	Towards the erection in the Isle of Man of an Asylum for the reception of Criminal and other Lunatics - -	4,000
25.	For One Half of the Expense of erecting, improving, and maintaining Court Houses or Offices for the Sheriff Courts in Scotland - - - - - -	20,000
26.	For Contributions in aid of Local Assessments for the Relief of the Poor in respect of certain Descriptions of Government Property - - - - - - -	27,000
27.	For Works at Landguard Point, near Harwich Harbour -	10,000
28.	Towards the Purchase of a Site for the Enlargement of the National Gallery - - - - -	20,000
	TOTAL CIVIL SERVICES, CLASS I. - £	829,370

SCHEDULE (E.)—SUPPLIES.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted by Section 16 of this Act, to defray the Charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866, viz.:—

No		Sums not exceeding
		£
1	For Salaries and Expenses in the Offices of the Two Houses of Parliament and for Allowances to Retired Officers -	69,064
2.	For Salaries and Expenses of the Department of Her Majesty's Treasury - - - - -	53,488
3.	For Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department - -	27,118
4.	For Salaries and Expenses in the Department of Her Majesty's Secretary of State for Foreign Affairs - -	66,885
5.	For Salaries and Expenses in the Department of Her Majesty's Secretary of State for the Colonies - -	31,658
6.	For Salaries and Expenses in the Department of Her Majesty's Most Honourable Privy Council - -	20,842
7.	For Salaries and Expenses in the Office of the Committee of Privy Council for Trade, including the Office of the Registrar of Merchant Seamen, the Joint Stock Companies Registration Office, and the Designs Office - -	68,523
8.	For Salary of the Lord Privy Seal, and the Salaries and Expenses of his Establishment - - -	2,938
9.	For conducting the Business of the Civil Service Commission	8,874
10.	For Salaries and Expenses in the Department of Her Majesty's Paymaster General - - - -	20,391
11.	For Salaries and Expenses in the Office of the Comptroller General of the Exchequer - - - -	5,048
12	For Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings - -	32,148
13.	For Salaries and Expenses of the Office of Woods, Forests, and Land Revenues - - - - -	28,482
14.	For Salaries and Expenses of the Department of Public Records - - - - -	22,006
15	For Expenses connected with the Administration of the Laws relating to the Poor - - - -	237,392
16.	For the Establishment of the Mint, including Expenses of the Coinage - - - - -	49,075
17.	For Salaries and Expenses of the Inspectors of Factories, Mines, Fisheries, and Alkali Works - - -	36,826
18.	For Salaries of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other Expenses formerly paid from the Hereditary Revenue - - -	6,210
19.	For Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland - - -	6,413
	Carried forward -	793,381

Consolidated Fund (Appropriation).

No		Sums not exceeding £
	Brought forward -	793,381
20.	For Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London -	16,609
21	For Salaries and Expenses of the Office of the Inspectors of Lunatic Asylums in Ireland, including the temporary Allowances for the Architect and Secretary of the Board of Control of Lunatic Asylums - - - - - -	4,007
22.	For Salaries and Expenses of the Office of Public Works in Ireland - - - - - - - -	22,861
23.	For Salaries and Expenses in the Department of the Commissioners for auditing the Public Accounts - - -	36,559
24.	For the Expense of the Copyhold, Inclosure, and Tithe Commission - - - - - - - -	19,187
25.	For the Imprest Expenses of the Copyhold, Inclosure, and Tithe Commission, under the Inclosure and Drainage Acts -	13,290
26.	For Salaries and Expenses in the Departments of the Registrars General of Births, &c., in London, Dublin, and Edinburgh - - - - - - - - -	65,493
27.	For Salaries and Expenses in the National Debt Office -	15,510
28.	For Salaries and Expenses of the Establishments under the Public Works Loan Commissioners, and the West India Islands Relief Commissioners - - - - -	3,785
29.	For certain Expenses of the Office of the Commissioners in Lunacy in England, and the Salaries and Expenses of the Board of Lunacy in Scotland - - - - - -	9,635
30.	For Salary and Expenses of the General Superintendent of County Roads in South Wales - - - - -	1,223
31.	For Salaries and Expenses in the Departments of the Registrars of Friendly Societies in England, Scotland, and Ireland - - - - - - - - - - -	2,324
32.	For Salaries and Expenses of the Charity Commission for England and Wales - - - - - - -	18,915
33.	For Salaries and Expenses of the Office in London under the Local Government Act, and for the Expense of the Inspection of Burial Grounds in England and Wales - -	6,665
34.	For Salaries and Expenses of the Office of Land Revenue Records and Inrolments in London, and of the Landed Estates Record Office in Dublin - - - - -	2,350
35.	For Expenses connected with Quarantine Arrangements -	1,446
36.	For Her Majesty's Foreign and other Secret Services -	32,000
37.	For Stationery, Printing, and Binding for the several Public Departments, and for Stationery, Printing, &c. for the Two Houses of Parliament, including the Expense of the Stationery Office - - - - - -	365,410
38.	For Postage of Letters on the Public Service in the several Departments - - - - - - - - -	149,535
	TOTAL CIVIL SERVICES, CLASS II. - - £	1,580,185

SCHEDULE (F.)—SUPPLIES.

CIVIL SERVICES.—CLASS III.

SCHEDULE of SUMS granted by Section 17 of this Act, to defray the Charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st day of March 1866; viz.:—

No.	ENGLAND.	Sums not exceeding £
1.	For Law Charges, and for Salaries, Allowances, and Incidental Expenses, including Prosecutions relating to Coin, in the Department of the Solicitor for the Affairs of Her Majesty's Treasury - - - - -	43,296
2	For Prosecutions at Assizes and Quarter Sessions, formerly paid out of County Rates, including Adjudications under the Criminal Justice Act, Sheriffs' Expenses, Salaries in lieu of Fees to Clerks of Assize and other Officers, and for Compensation to Clerks of the Peace under the same Act	198,033
3	For Police in Counties and Boroughs in England and Wales, and for Police in Scotland - - - - -	248,100
4.	For Crown Office, Queen's Bench - - - -	3,120
5.	For Salaries and Expenses in the Offices of the Registrar and Marshal of the High Court of Admiralty, and for Expenses of the Admiralty Court, Dublin - - - -	12,325
6.	For Salaries and Expenses of the First Commissioner of the late Insolvent Debtors' Court, and of the Clerks and Officers of the said late Court now acting in the Court of Bankruptcy and in the Offices connected therewith -	3,296
7	For Salaries and Expenses of the Courts of Probate and Divorce and Matrimonial Causes - - - - -	85,000
8.	For Salaries and Expenses connected with the County Courts - - - - - - - - -	159,701
9.	For Salaries and Expenses of the Office of Land Registry -	5,030
10.	For the Police Courts of the Metropolis - - -	20,993
11.	For the Metropolitan Police - - - - -	155,166
12.	For Remuneration to Revising Barristers in England and Wales - - - - - - - -	18,002
13.	For Annuities by way of Compensation falling due under the Divorce and Matrimonial Causes Act - - -	686
14.	For Compensations and Retiring Annuities of certain Holders of abolished Offices under the Bankruptcy Act, 1861 -	16,772
	Carried forward -	969,520

	Sums not exceeding
SCOTLAND.	£
Brought forward - -	969,520
No. 15. For Salaries and Expenses of the Lord Advocate and of the Solicitor General - - - -	3,577
16. For Salaries and Expenses of the Court of Session - -	18,331
17. For Salaries and Expenses of the Court of Justiciary -	10,816
18. For Criminal Prosecutions carried on under the Authority of the Lord Advocate - - - -	4,100
19. For Salaries and Expenses of the Legal Branch of the Exchequer - - - - -	1,630
20. For Sheriffs and Stewards, including Procurators Fiscal not paid by Salaries, for Expenses of Criminal Prosecutions, &c. in Sheriff Courts, and for Compensations to Sheriffs Commissary - - - - -	35,231
21. For Salaries of such of the Procurators Fiscal as are no longer paid by Fees - - - - -	21,842
22. For such of the Salaries of the Sheriff Clerks as are not chargeable on the Consolidated Fund - - -	14,777
23. For Salary of the Solicitor of the Crown, and Expenses in Matters of Tithes, and the Expenses of the Agent of the Officers of State in maintaining Rights of the Crown in Civil Actions, &c. - - - -	3,000
24. For Salaries and Expenses of the several Offices in Her Majesty's General Register House, Edinburgh - -	17,254
25. For Salaries and Expenses in the Department of the Commissary Clerk, Edinburgh - - - - -	1,295
26. For Salaries and Expenses in the Department of the Accountant in Bankruptcy - - - -	1,529
Carried forward -	1,102,902

		Sums not exceeding
	IRELAND.	£
No.	Brought forward -	1,102,902
27.	For the Expense of Criminal Prosecutions and other Law Charges - - - - - - -	73,637
28.	For Salaries and Expenses of certain Officers of the Court of Chancery - - - - - -	5,793
29.	For Salaries and Expenses of the Courts of Queen's Bench, Common Pleas, and Exchequer, and of Offices connected with those Courts - - - - - -	13,742
30.	For Salaries of the Registrars to the Judges on Circuit -	4,407
31.	For Compensations to Seneschals and other Officers of Manor Courts - - - - - - -	2,403
32.	For Salaries and Expenses in the Office for the Registration of Judgments - - - - - - -	3,163
33.	For Salaries and Expenses of the Office for the Registration of Deeds - - - - - - -	16,416
34.	For Fees to Advocates appointed to act as Commissioners of the High Court of Delegates - - -	100
35.	For Salaries of the Judges and Officers and the incidental Expenses of the Court of Bankruptcy and Insolvency, and the Compensations awarded under the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Sixty - - - - - -	6,599
36.	For Salaries of the Court of Probate, and the Expenses of the said Court, and of the District Registries - -	10,663
37.	For Salaries and Expenses of the Landed Estates Court -	11,768
38.	For Salaries of Process Servers - - -	8,500
39.	For Remuneration to Revising Barristers in the City of Dublin - - - - - - - -	420
40.	For Salaries of the Police Justices, and for the Expense of the Divisional Police Courts and the Metropolitan Police, Dublin - - - - - -	50,500
41.	For the Constabulary Force - - - -	725,680
42.	For Expenses of the Four Courts Marshalsea Prison, Dublin	2,714
43.	For Inspection and General Superintendence over all the Prisons and certified Reformatories and Industrial Schools in the United Kingdom - - - - -	18,999
44.	For Government Prisons and Convict Establishments at home - - - - - - -	370,887
45.	For Maintenance of Prisoners in County Gaols, Reformatory Institutions, and Lunatic Asylums; and for the Expenses of the Removal of Convicts - - - - -	288,905
46.	For Transportation of Convicts, &c. - - -	20,258
47.	For the Convict Establishments in the Colonies - -	159,059
	TOTAL CIVIL SERVICES, CLASS III. - - £	2,897,515

SCHEDULE (G.)—SUPPLIES.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted by Section 18. of this Act to defray the Charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866; viz.:—

	Sums not exceeding
	£
1. For Public Education in Great Britain - - -	693,078
2. For the General Management of the Department of Science and Art, and of the Establishments connected therewith -	161,841
3. For Public Education in Ireland under the Commissioners of National Education in Ireland - - -	325,583
4. For Salary of the Secretary and the Expenses of the Office of the Commissioners of Education in Ireland -	730
5. For the University of London - - - -	8,773
6. For Grants to Scottish Universities - - -	19,485
7. For the Queen's University in Ireland - - -	2,372
8. For the Queen's Colleges in Ireland - - -	5,150
9. For the Royal Irish Academy - - - -	700
10. For the Establishment and Expenses of the National Gallery of Ireland, and for the Purchase of Pictures - -	3,400
11. For Salaries of the Theological Professors, and the incidental Expenses of the General Assembly's College at Belfast, and for Retired Allowances to Professors of the Belfast Academical Institution - - - -	2,500
12. For Salaries and Expenses of the British Museum Establishment, including the Expense of Buildings, Furniture, Fittings, &c. - - - - -	98,164
13. For the Expenses of the National Gallery, including the Purchase of Pictures - - - -	23,336
14. For the Formation of the Gallery of Portraits of the most eminent Persons in British History - -	1,650
15. For Magnetic and Meteorological Observations, &c. -	7,059
16. For preliminary Expenses on account of the Management of the British Department of the Universal Exhibition at Paris in 1867 - - - - -	5,000
17. For enabling the Royal Geographical Society to provide Accommodation for their Meetings, &c. - -	500
18. For enabling the Royal Society to carry on certain Experiments for Public Objects - - - -	1,000
19. For enabling the Directors of the Royal Academy of Music to provide Accommodation for the Institution -	500
TOTAL CIVIL SERVICES, CLASS IV. - £	1,360,821

Consolidated Fund (Appropriation).

SCHEDULE (H.)—Supplies.

CIVIL SERVICES—Class V.

Schedule of Sums granted by Section 19. of this Act to defray the Charges of the several Civil Services herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866; viz.—

No.		Sums not exceeding £
1.	For the Civil Establishment of the Bermudas	4,200
2.	For the Ecclesiastical Establishment of the British North American Provinces	3,813
3.	For the Indian Department in Canada	1,000
4.	For the Salaries of the Governors, Lieutenant Governors, and others in the West Indies, and certain other Colonies	23,278
5.	For Salaries and Allowances of the Stipendiary Justices in the West India Colonies	7,200
6.	For the Civil Establishments on the Western Coast of Africa	11,730
7.	For the Island of Saint Helena	4,924
8.	For the Orange River Territory (Cape of Good Hope)	700
9.	For Heligoland	1,104
10.	For the Falkland Islands	5,488
11.	For Labuan	4,641
12.	For the Pitcairn's Islanders in Norfolk Island	300
13.	For the Emigration Board and Emigration Officers at the different Ports of this Kingdom, and for certain other Expenses connected with Emigration	10,531
14.	For the late Expedition to the Zambesi River	1,657
15.	On account of the Treasury Chest	3,000
16.	For Bounties on Slaves and Tonnage Bounties, for Expenses incurred for the Support and Conveyance of captured Negroes, and for other Charges under the Acts for the Abolition of the Slave Trade	47,000
17	For Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves	10,650
18.	For the Consular Establishments abroad	166,018
19.	For the Establishments in China, Japan, and Siam	102.972
20.	For the Extraordinary Disbursements of Her Majesty's Embassies and Missions abroad	36,400
21.	For special Missions, Diplomatic Outfits, and Conveyance and Entertainment of Colonial Officers and others	25,000
22.	For Salaries of the Third Secretaries at Her Majesty's Embassies and Missions abroad	4,500
	Total Civil Services, Class V. £	476,106

SCHEDULE (I.)—SUPPLIES.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted by Section 20 of this Act to defray the Charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866; viz.—

No.		Sums not exceeding £
1.	For Superannuation Allowances and Compensations to Persons formerly employed in the Public Service -	179,382
2.	For enabling Her Majesty to grant Relief to Toulonese and Corsican Emigrants, St. Domingo Sufferers, American Loyalists, and others who have heretofore received Allowances from Her Majesty - - - - - -	661
3.	Towards the Support of the Refuge for the Destitute -	325
4.	For the Subsistence of Polish Refugees and Allowances to distressed Spaniards - - - - - -	2,789
5.	For Pensions to Masters and Seamen of the Merchant Service, and to their Widows and Children, under the Merchant Seamen's Fund Act, and for Compensation to the late Officers of the Trustees of the Merchant Seamen's Fund - - - - - - - - -	54,200
6.	For the Relief of distressed British Seamen abroad - -	30,400
7.	For miscellaneous Allowances formerly defrayed from the Civil List, the Hereditary Revenues, &c., and for which no permanent Provision has been made by Parliament -	3,780
8.	For Allowances granted under certain Acts of Parliament to the Treasurers of Public Infirmaries in Ireland - -	2,272
9.	For the Westmoreland Lock Hospital, Dublin - -	2,600
10.	For the Rotunda Lying-in Hospital, Dublin - -	700
11.	For the Coombe Lying-in Hospital, Dublin - - -	200
12.	For the Hospitals of the House of Industry, Dublin -	7,600
13.	For the House of Recovery and Fever Hospital, Cork Street, Dublin - - - - - - - -	2,500
14.	For the Meath Hospital and County Dublin Infirmary -	600
15.	For St. Mark's Ophthalmic Hospital, Dublin - -	100
16.	For Dr. Steevens' Hospital, Dublin - - - -	1,300
17.	For the Board of Superintendence of Hospitals in Dublin -	245
18.	For Charitable Allowances charged on the Concordatum Fund in Ireland, and other Allowances and Bounties formerly defrayed from Grants for the Lord Lieutenant's Household, Civil Contingencies, &c. - - - - -	8,644
19.	For Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland - - - - - - -	40,809
	TOTAL CIVIL SERVICES, CLASS VI. - - £	339,107

SCHEDULE (J.)—Supplies.

CIVIL SERVICES.—Class VII.

Schedule of Sums granted by Section 21 of this Act, to defray the Charges of the several Civil Services herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866; viz.:—

No.		Sums not exceeding £
1.	For the Ecclesiastical Commissioners for England	3,750
2.	For Salaries and Expenses of temporary Commissions	30,702
3.	For Fees, Salaries, Expenses, and Compensations payable under the Provisions of the Patent Law Amendment Act	31,003
4.	For Salaries and Expenses of the Board of Fisheries in Scotland	15,427
5.	On account of the Annuity to the Board of Manufactures in Scotland, in discharge of Equivalents under the Treaty of Union	2,000
6	For Payments on account of the Difference of Dues payable by British or Foreign Vessels under Treaties of Reciprocity	55,532
7.	For Salaries of Inspectors of Corn Returns, and for Expenses defrayed by Counties for Corn Returns	2,900
8.	For adjusting and defining the Boundaries of Counties, Baronies, and Parishes in Ireland	500
9.	For the Expense of the Publication of the Ancient Laws and Institutes of Ireland	500
10.	For encouraging the Cultivation of Flax in the South and West of Ireland	5,000
11.	For the Expense of the Telegraphic Cable laid down between Malta and Alexandria, and of the Balmoral Telegraph	780
12.	For collecting Agricultural Statistics in Great Britain	10,000
13.	For certain Expenses formerly charged upon the Vote for Civil Contingencies	16,674
	Total Civil Services, Class VII. £	174,768

SCHEDULE (K.)—SUPPLIES.

REVENUE DEPARTMENTS.

SCHEDULE of SUMS granted by Section 22 of this Act, to defray the Charges of the several REVENUE DEPARTMENTS herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1866; viz:—

No.		Sums not exceeding £
1.	For the Salaries and Expenses of the Customs Department -	773,009
2.	For the Salaries and Expenses of the Inland Revenue Department - - - - - -	1,284,157
3	For Post Office Services and the Collection of the Post Office Revenue - - - -	2,121,478
4	For Superannuations and Compensation Allowances, Pensions, and other non-effective Charges in the Departments of Customs, Inland Revenue, and Post Office - -	478,116
	TOTAL REVENUE DEPARTMENTS - - £	4,656,760

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sioners of the Admiralty shall be liable and entitled to pay or receive Costs according to the ordinary Law and Practice relative to Costs.

Prerogatives of the Crown in Suits preserved, &c.

3. Nothing in this Act, or in The Admiralty Lands and Works Act, 1864, shall take away or abridge in any Action or Suit the legal Rights, Privileges, and Prerogatives of Her Majesty, Her Heirs and Successors, but in all Actions and Suits instituted by or against the Commissioners of the Admiralty, and in all Proceedings and Matters connected therewith, the Commissioners of the Admiralty may exercise and enjoy all such Rights, Privileges, and Prerogatives as are for the Time being exercised and enjoyed in any Action or Suit in any Court of Law or Equity by Her Majesty, Her Heirs or Successors, as if the Crown were actually a Party to such Action or Suit.

Saving for proceeding by Information, &c.

4. Notwithstanding anything in this Act, or in The Admiralty Lands and Works Act, 1864, it shall be lawful for Her Majesty, Her Heirs and Successors, to proceed by Information in the Court of Exchequer, or by any other Crown Process, legal or equitable, in any Case in which it would have been competent for Her Majesty, Her Heirs or Successors, so to proceed if no Provisions respecting Procedure had been inserted in this Act, or in The Admiralty Lands and Works Act, 1864.

Superintendents of Dockyards to be Justices for certain Purposes.

5. The Superintendents of Her Majesty's Dockyards shall be in all Places Justices of the Peace in respect of all Offences specified in this Act, and of all Matters relating to Her Majesty's Naval Service, and the Stores, Provisions, and Accounts thereof.

Punishment for uttering false Petitions, Certificate, &c.

6. If any Person, in order to sustain any Claim to any Pay, Wages, Allotment, Prize Money, Bounty Money, Grant, or other Allowance in the Nature thereof, Half Pay, Pension, or Allowance from the Compassionate Fund of the Navy, or other Money payable by the Admiralty, or to any Effects or Money in charge of the Admiralty,—or in order to procure any Person to be admitted a Pensioner as the Widow of an Officer of the Navy,—does any of the following Things, namely,—offers or utters to any Person in the Service of the Crown or of the Admiralty any false Affidavit, knowing the same to be false, or makes or subscribes or offers or utters as aforesaid any false written Petition, Application, Statement, Answer, Certificate, or Voucher, or other false Writing, knowing the same to be false,—every such Person shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any

any Term not exceeding Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, or on summary Conviction before a Justice, Sheriff, or Magistrate shall be liable to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

Parts of 24 & 25 Vict. c. 98. incorporated.

7. The following Sections of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign (Chapter Ninety-eight), "to consolidate and amend the Statute "Law of *England* and *Ireland* relating to indictable Offences by "Forgery," shall be incorporated with this Act, and shall be read as if they were here re-enacted, namely,—Sections Forty to Forty-two and Fifty to Fifty-three (all inclusive); and for this Purpose the Expression "this Act" used in the said incorporated Sections shall be construed to include the present Act, and Expressions therein used relating to Forgery or forged Writings shall be construed to apply to any Act being a Misdemeanor under the last foregoing Provision of this Act, and to Writings made, subscribed, offered, or uttered in contravention of that Provision.

Punishment for Personation of Seamen, &c.

8. If any Person in order to receive any Pay, Wages, Allotment, Prize Money, Bounty Money, Grant, or other Allowance in the Nature thereof, Half Pay, Pension, or Allowance from the Compassionate Fund of the Navy, payable or supposed to be payable by the Admiralty, or any other Money so payable or supposed to be payable, or any Effects or Money in charge or supposed to be in charge of the Admiralty, falsely and deceitfully personates any Person entitled or supposed to be entitled to receive the same, every such Person shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, or on summary Conviction before a Justice, Sheriff, or Magistrate shall be liable to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

Saving for Punishment under other Acts, &c.

9. Nothing in this Act shall prevent any Person from being proceeded against and punished under any other Act or at Common Law in respect of an Offence (if any) punishable as well under this Act as under any other Act or at Common Law.

Commencement of Act.

10. This Act shall commence on such Day, not later than the First Day of *January* One thousand eight hundred and sixty-six, as Her Majesty in Council thinks fit to direct.

11. Every

As to Publication of Orders in Council.

11. Every Order in Council under this Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within Thirty Days after the making thereof, if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament.

Short Title.

12. This Act may be cited as The Admiralty Powers, &c. Act, 1865.

LONDON:

Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1865.

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CAP. CXXV.

An Act for the Regulation of Dockyard Ports.

[6th *July* 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as The Dockyard Ports Regulation Act, 1865. Short Title.

2. In this Act— Interpretation of Terms.

The Term "Dockyard Port" means any Port, Harbour, Haven, Roadstead, Sound, Channel, Creek, Bay, or navigable River of the United Kingdom in, on, or near to which Her Majesty now or at any Time hereafter has any Dock, Dockyard, Steam Factory Yard, Victualling Yard, Arsenal, Wharf, or Mooring:

The Term "Vessel" includes Ship, Boat, Lighter, and Craft of every Kind, however propelled:

The Term "Master" applied to a Vessel means the Person having the Command or Charge of the Vessel for the Time being:

 The

The Term "Justice" and the Term "Magistrate" respectively mean a Justice of the Peace and a Magistrate acting for the Place where the Matter requiring the Cognizance of a Justice or Magistrate arises:

The Term "Sheriff" means the Sheriff Depute of the County or Ward of a County in *Scotland*, and the Steward Depute of the Stewartry in *Scotland* in which the Matter submitted to the Cognizance of the Sheriff arises, and includes the Substitute of a Sheriff or Steward Depute:

The Term "the Admiralty" means the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral.

Power to define Limits.

3. It shall be lawful for Her Majesty in Council, from Time to Time, by Order in Council, to define the Limits of a Dockyard Port for the Purposes of this Act.

Appointment of Queen's Harbour Masters.

4. The Admiralty may from Time to Time appoint for each Dockyard Port a fit Person to superintend the Execution of this Act, and otherwise to protect the Port, to be called the Queen's Harbour Master for the respective Port.

Port Regulations to be made by Orders in Council.

5. In relation to any Dockyard Port it shall be lawful for Her Majesty in Council, from Time to Time, by Order in Council, to make Regulations for all or any of the following Purposes; namely,

To prohibit the mooring or anchoring of Vessels so as to obstruct Navigation into, in, or out of the Port:

To appropriate any Space as a Mooring Place or Anchoring Ground for the exclusive Use of Her Majesty's Vessels, but not so as to authorize any User of such Space in such Manner as to obstruct Navigation into, in, or out of the Port:

To prohibit or restrict the having of Gunpowder and the having or discharging of shotted or loaded Guns on board any Vessel in any specified Part of the Port, and to regulate the loading and unloading of Gunpowder in the Port:

To restrict the Use of Fire and Light, and the having of Tar, Oil, or other combustible Substances on board any Vessel, in any specified Part of the Port:

To prohibit the navigating of Steam Vessels at a greater than a specified Speed in any specified Part of the Port:

To require the Presence of at least One Person at all Hours of the Day and Night on board every Vessel above a specified Size moored, anchored, or placed in any specified Part of the Port:

To

To prohibit or regulate the breaming of Vessels in any specified Part of the Port:

And for such other Purposes as from Time to Time seem necessary with a view to the proper Protection of Her Majesty's Vessels, Dockyards, or Property, or to the Requirements of Her Majesty's Naval Service.

6. Any such Order in Council may impose such reasonable Penalties as seem fit, not exceeding for any Offence Ten Pounds; but any Provision imposing a Penalty shall be so framed that Part only of the Penalty may be ordered to be paid.

Penalties in such Orders.

7. In relation to any Dockyard Port it shall be lawful for Her Majesty in Council, from Time to Time, by Order in Council, on the joint Recommendation of the Admiralty and the Board of Trade, to make Rules concerning the Lights or Signals to be carried or used, and the Steps for avoiding Collision to be taken by Her Majesty's Vessels and other Vessels navigating the Waters of the Port and of the Approaches thereto; and such Rules shall, with respect to Her Majesty's Vessels and other Vessels navigating those Waters, have the same Effect as if they had been Regulations originally contained in Table (C.) in the Schedule to The Merchant Shipping Act Amendment Act, 1862, or were Regulations duly substituted for the same, and as if such original or substituted Regulations applied to Her Majesty's Vessels as well as to other Vessels.

Orders in Council to be made as to Lights, Prevention of Collision, &c., with Concurrence of Board of Trade.

25 & 26 Vict. c. 63.

8. The Admiralty shall cause printed Copies of every Order in Council under this Act relative to any Dockyard Port to be provided, and to be sold at a reasonable Price, to be fixed by the Admiralty, to all Persons desirous of buying the same.

As to the printing and Sale of Orders.

9. Every Order in Council under this Act shall be published in the *London Gazette*, and shall be made to take effect not sooner than the Expiration of Thirty Days from such Publication; and a Copy of the *London Gazette* containing any such Order shall be conclusive Evidence of the due making and Publication of such Order; and every such Order shall be judicially noticed without being specially pleaded.

Publication of Orders.

10. Every Order in Council under this Act shall be binding on all Persons, and shall be sufficient to justify all Persons acting thereunder.

Effect of Order.

11. If the Master of any Vessel within a Dockyard Port does not moor, anchor, place, unmoor, or remove the same according to Directions given by the Queen's Harbour Master in conformity with any

Power for Queen's Harbour Master to

unmoor Vessels, &c.

any Order in Council under this Act, or if there is no Person on board of any such Vessel to attend to such Directions, the Queen's Harbour Master may cause the Vessel to be moored, anchored, placed, unmoored, or removed in conformity with the Order in Council, and for that Purpose may cast off, loose, or unshackle, and (if need be) sever any Chain or Rope of the Vessel, first putting on board a sufficient Number of Persons for the Protection of the Vessel in case there is not a sufficient Number of Persons on board to protect the same; and all Expenses attending the Exercise of the Powers of the present Section shall be paid by the Master of the Vessel.

Power to search, &c.

12. The Queen's Harbour Master, or any Person having Authority in Writing from the Admiralty in this Behalf, may, with proper Assistants, enter into any Vessel in a Dockyard Port, and there search for Gunpowder, shotted or loaded Guns, Fire, or Light, or combustible Substances had or suspected to be had on board in contravention of any Order in Council under this Act, and may extinguish any such Fire or Light; and if any Person wilfully obstructs the Queen's Harbour Master or other Person in the Execution of the Authority conferred by this Section he shall for each Offence be liable to a Penalty not exceeding Ten Pounds.

Power to remove Wreck, &c.

13. The Queen's Harbour Master may remove any Wreck or other Thing being an Obstruction to the Dockyard Port or to the Approaches thereto, and any floating Timber that impedes the Navigation thereof.

Power to remove unserviceable Vessels.

14. Any Vessel laid by or neglected as unfit for Sea Service shall not be permitted to lie within any Part of a Dockyard Port specified in this Behalf in any Order in Council under this Act; and the Queen's Harbour Master may cause every such Vessel to be removed from the Part of the Port so specified, and to be laid on some Part of the Strand or Sea Shore, or in some other Place where the same may without Injury to any Person be placed.

Recovery of Expenses of Removal of Wreck, &c.

15. The Expenses incurred by the Queen's Harbour Master in the Removal of any such Wreck or other Thing or Timber, or in the Removal or placing of any such Vessel, shall be repaid by the Owner thereof; and the Queen's Harbour Master may detain, and in case of Nonpayment of the Expenses, on Demand, may sell the Wreck or other Thing, Timber or Vessel, and out of the Proceeds of the Sale pay those Expenses and the Expenses of the Sale, rendering the Surplus (if any) to the Owner, on Demand; and any Deficiency may be recovered from the Owner.

16. If

16. If the Owner of any Vessel or Thing is in any Case compelled to pay any Penalty, Expenses, Sum of Money, or Costs, by reason of any Act or Omission of the Master of a Vessel or other Person, he shall be entitled to recover the Amount paid by him, with Costs, from the Person who actually committed the Offence or did the wrongful Act in respect whereof the Owner was compelled to make such Payment. Recovery of Expenses by Owner from Master, &c.

17. Penalties, Expenses, and Sums of Money made recoverable by this Act, or by any Order in Council under it, may be recovered by summary Proceedings in *England* or in *Ireland* before a Justice, and in *Scotland* before a Sheriff, Justice, or Magistrate. Summary Proceedings for Penalties, &c.

18. Penalties, Expenses, and Sums of Money recovered as aforesaid, except when recovered by an Owner from a Master or other Person, shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury from Time to Time direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom. Application of Penalties.

19. Where any Justice, Sheriff, or Magistrate, by virtue of this Act or any Order in Council under it, makes an Order directing Payment of any Penalty, Expenses, or Sum of Money by the Master or Owner of a Vessel, and Payment is not duly made, the Justice, Sheriff, or Magistrate who made the Order, or any other Justice, Sheriff, or Magistrate having the same Jurisdiction, may (in addition to any Power which he may have for the Purpose of compelling Payment) direct the Amount unpaid to be levied by Distress or Poinding and Sale of the Vessel, her Tackle, Furniture, and Apparel, or of any Part thereof. Penalties, &c. may be raised by Sale of Vessel.

20. Any Summons or other Document in any Proceeding on this Act or any Order in Council under it may (in addition to any other Mode of Service) be served by being left for the Person to be served on board any Vessel to which he belongs with the Person being or appearing to be in command or charge of the Vessel. Service of Summons.

21. For the Purpose of giving Jurisdiction, every Offence against this Act or any Order in Council under it shall be deemed to have been committed, and every Cause of Complaint shall be deemed to have arisen, either in the Place in which the same actually was committed or arose, or in any Place in which the Offender or Person complained against happens to be. Local Jurisdiction.

22. Where any District within which any Justice, Sheriff, or Magistrate has Jurisdiction for any Purpose under this or any other Act, Jurisdiction of Justice of the Peace.

Act, or at Common Law, abuts on the Shore of the Sea or other navigable Water, every such Justice, Sheriff, or Magistrate shall for the Purposes of this Act have Jurisdiction over any Vessel being or passing near the Shore, and over every Person on board thereof or belonging thereto, as if such Vessel or Person was within the ordinary Limits of the Jurisdiction of the Justice, Sheriff, or Magistrate.

Saving for Right of Property, &c.

23. Nothing in this Act shall prejudice, take away, abridge, or alter any Right of Property, Privilege, or Jurisdiction, or any Powers of Conservancy, held, possessed, enjoyed, or exercised by any Body or Person in, to, upon, or over any Part of a Dockyard Port, or of the Shores and Banks thereof.

Limitation of Actions, &c.

24. Any Action or Proceeding shall not lie against any Queen's Harbour Master or other Person acting under the Authority or in the Execution or intended Execution or in pursuance of this Act, or of any Order in Council under it, for any alleged Irregularity or Trespass or other Act or Thing done or omitted by him, unless Notice in Writing (specifying the Cause of the Action or Proceeding) is given by the intending Plaintiff or Prosecutor to the intended Defendant One Month at least before the Commencement of the Action or Proceeding, nor unless the Action or Proceeding is commenced within Six Months next after the Act or Thing complained of is done or omitted, or, in case of a Continuation of Damage, within Six Months next after the doing of such Damage has ceased.

In any such Action the Defendant may plead generally that the Act or Thing complained of was done or omitted by him when acting under the Authority or in the Execution or intended Execution or in pursuance of this Act, or of any such Order in Council (specifying it), and may give all special Matter in Evidence; and the Plaintiff shall not succeed if Tender of sufficient Amends is made by the Defendant before the Commencement of the Action; and in case no Tender is made the Defendant may, by Leave of the Court in which the Action is brought, at any Time pay into Court such Sum of Money as he thinks fit, whereupon such Proceeding and Order shall be had and made in and by the Court as may be had and made on the Payment of Money into Court in an ordinary Action; and if the Plaintiff does not succeed in the Action the Defendant shall receive such full and reasonable Indemnity as to all Costs, Charges, and Expenses incurred in and about the Action as may be taxed and allowed by the proper Officer, subject to Review; and though a Verdict is given for the Plaintiff in the Action he shall not have Costs against the Defendant unless the Judge before whom the Trial is had certifies his Approval of the Action.

25. This

25. This Act shall commence on such Day, not later than the First Day of *January* One thousand eight hundred and sixty-six, as Her Majesty in Council thinks fit to direct; save that any Order in Council may be made before that Day, so as it be not made to take effect before that Day. Commencement of Act.

26. Every Order in Council under this Act shall be laid before both Houses of Parliament within Thirty Days after the making thereof if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament. Orders in Council to be laid before Houses of Parliament.

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Prisons Act, 1865.

28 & 29 Vict., Cap. 126.

ARRANGEMENT OF CLAUSES.

Preliminary.

Sect.
1. Short Title.
2. Commencement of Act.
3. Application of Act.
4. Definition of Terms.
5. Description of "Prison Authorities."
6. Definition of "Justices in Sessions assembled."
7. Contracts, &c. by Prison Authority in Counties.

PART I.

The Maintenance and Government of Prisons.

Obligation to maintain Prisons.

8. Maintenance of Prisons by separate Prison Jurisdiction.
9. Definition of separate Prison Jurisdiction.

Appointment of Officers.

10. Officers of Prison.
11. Appointment of Chaplain to Two Prisons.
12. Assistant Chaplains and Deputy Gaoler.
13. Notice to be sent to Bishop as to Chaplains and Assistant Chaplains.
14. Tenure of Office and Salaries of Prison Officers.
15. Superannuation of Officers.
16. Removal of Prison Officers from Apartments.

Discipline of Prisoners.

17. Requisitions of Act as to Separation of Prisoners.
18. Cells to be certified for Confinement of Prisoners.
19. Requisitions of Act as to Hard Labour.
20. Regulations as to Government of Prisons.

21. Rules

21. Rules in addition to Regulations in Schedule.
22. Inspector of Prisons to leave a Minute of Observations.

Enlargement and Rebuilding of Prisons.

23. Power to build Prisons.
24. Conditions as to building Prisons.
25. Mode of obtaining Sanction of Secretary of State to building of Prisons.
26. Approval of Secretary of State.
27. Charge of borrowed Monies.
28. Certain Clauses of 10 & 11 Vict. c. 16. as to borrowing Money incorporated.
29. Public Works Loan Commissioners to lend Money for building Prisons.
30. Appointment of Surveyor General of Prisons.

Contracts for Maintenance of Prisoners and Appropriation of Prisons.

31. Contracts by Prison Authorities for Maintenance of Prisoners.
32. Expenses of Contracts between Prison Authorities.
33. Appropriation of Prisons for Purposes of Classification.
34. Public Notice of Prisons being appropriated to certain Prisoners.

Penalty for inadequate Prisons.

35. Government Allowance withheld from inadequate Prisons.
36. Power of Secretary of State to close inadequate Prisons.

Offences in relation to Prisons.

37. Assisting Prisoners to escape.
38. Punishment for carrying Spirituous Liquors or Tobacco into Prison.
39. Punishment for carrying Letters into and out of Prisons.
40. Notice of Penalties to be placed outside of Prison.

Discharge of Prisoners.

41. When Term of Imprisonment expires on Sunday, Prisoner to be discharged on preceding Day.
42. Allowance to discharged Prisoner.
43. Discharged Prisoners provided with Means of returning to Place of Settlement.

Purchase

Purchase of Land.

44. Certain Provisions of 8 & 9 Vict. c. 18. incorporated.
45. Confirmation of Title to Lands purchased for Purpose of Prison.

Disposal of unnecessary Prisons.

46. Sale of unnecessary Prisons.
47. Conditions of Sale.

Miscellaneous.

48. Inquests on Prisoners.
49. General Issue may be pleaded to Action.
50. Venue, where laid.
51. Provision as to Arbitration.
52. Recovery of Penalties.

Visiting Justices.

53. Appointment of Visiting Justices.
54. Power to make Rules as to Visiting Justices.
55. Visits to Prison by any Justice.

PART II.

LAW OF PRISONS.

56. Abolition of Distinction between Gaol and House of Correction.
57. Jurisdiction over Prison.
58. Custody of Prisoners.
59. Security to Sheriff.
60. Responsibility of Sheriff.
61. Description of Prison in Writ.
62. Gaoler of Prison to deliver Calendar.
63. Removal of Prisoners for Trial.
64. Removal of Prisoners in other Cases.
65. Her Majesty may order Prisoners to be removed from one Prison to another.
66. Custody and Trial of Prisoners in a substituted Prison.
67. Misdemeanants of First Division.

PART

PART III.

Discontinuance of certain Prisons.

68. Prohibition of Committals to Prisons in Second Schedule.
69. Removal of Prisoners in scheduled Prisons.
70. Expenses of Prisoners confined in County Prisons under Act.
71. Power to use scheduled Prisons as Lock-up Houses.
72. Power to allow Compensation to Persons deprived of Office.

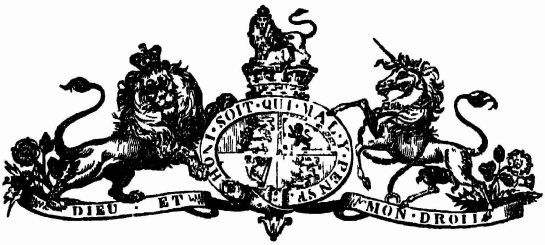
PART IV.

Repeal of Statutes, and Saving Clauses.

73. Acts and Parts of Acts in Third Schedule repealed.
74. No Repeal hereby enacted to affect any Order made, &c.
75. Certificates as to Cells.
76. Saving as to repealed Provisions referred to in other Acts.
77. As to Meaning of Gaol Act, 25 & 26 Vict. c. 44.
78. Saving of Rights of Creditors.
79. Saving of Superannuation Allowances.
80. Saving as to Rules.
81. Saving as to Appointment of Officers.
82. Saving as to Commissions.

Index to Schedules.

Schedules.



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. CXXVI.

An Act to consolidate and amend the Law relating to Prisons. [6th *July* 1865.]

WHEREAS it is expedient to consolidate and amend the Law relating to Prisons in *England:* Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited for all Purposes as "The Prison Act, 1865." Short Title.

2. This Act shall come into operation on the First Day of *February* One thousand eight hundred and sixty-six, which Day is herein-after referred to as the Commencement of the Act. Commencement of Act.

3. This Act shall not extend to *Scotland* or *Ireland*, and shall not apply to the Prisons for Convicts under the Superintendence of the Directors of Convict Prisons, or to any Military or Naval Prison. Application of Act.

 4. In

Definition of Terms.

4. In this Act, and in any Act applied or incorporated by this Act, the Expressions herein-after mentioned shall have the Meanings herein-after attached to them, unless there is something in the Tenor of the Act inconsistent with such Meanings; that is to say,

"Municipal Borough" and "Borough:" "Municipal Borough" shall mean any Place for the Time being subject to the Municipal Corporation Act passed in the Session of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-six, and any Acts amending the same, and "Borough" shall include "Municipal Borough:"

"Prison:" "Prison" shall mean Gaol, House of Correction, Bridewell, or Penitentiary; it shall also include the Airing Grounds or other Grounds or Buildings occupied by Prison Officers for the Use of the Prison and contiguous thereto:

"Gaoler:" "Gaoler" shall mean Governor, Keeper, or other Chief Officer of a Prison:

"Clerk of the Peace:" "Clerk of the Peace" shall include any Officer performing similar Duties to those of a Clerk of the Peace:

"Treasurer:" "Treasurer" shall include any Officer performing Duties similar to those of Treasurer:

"Quarter Sessions:" "Quarter Sessions" shall include "General Sessions:"

"Criminal Prisoner." "Criminal Prisoner" shall mean any Prisoner charged with or convicted of a Crime.

Description of "Prison Authorities."

5. The Persons herein-after named shall be Prison Authorities for the Purposes of this Act; that is to say,

1. As respects any Prison belonging to any County, except as herein-after mentioned, or to any Riding, Division, Hundred, or Liberty of a County, having a separate Court of Quarter Sessions, the Justices in Quarter Sessions assembled:
2. As respects any Prison belonging to a County divided into Ridings or Divisions, and maintained at the common Expense of such Ridings or Divisions, the Justices of the County assembled at a Court of Gaol Sessions held in manner provided by the Act of the Fifth Year of King *George* the Fourth, Chapter Twelve:
3. As respects any Prison belonging to the City of *London*, or the Liberties thereof, the Court of the Lord Mayor and Aldermen:
4. As respects any Prison belonging to a Municipal Borough, the Council of the Borough:
5. As respects any Prison belonging to any District, Liberty, City, Borough, or Town having a separate Prison Jurisdiction, and not herein-before mentioned, the Justices, Council, or other Persons having Power at Law to build, enlarge,

enlarge, or repair such Prison, assembled at any Gaol Session or other formal Meeting of their Body.

6. The Expression "Justices in Sessions assembled" shall mean as follows; that is to say, Definition of "Justices in Sessions assembled."

1. As respects any Prison belonging to any County, except as herein-after mentioned, or to any Riding, Division, Hundred, or Liberty of a County, having a separate Court of Quarter Sessions, the Justices in Quarter Sessions assembled:
2. As respects any Prison belonging to any County divided into Ridings or Divisions, and maintained at the common Expense of such Ridings or Divisions, the Justices of the County assembled at Gaol Sessions:
3. As respects any Prison belonging to the City of *London*, or the Liberties thereof, the Court of the Lord Mayor and Aldermen:
4. As respects any Prison belonging to any Municipal Borough, the Justices of the Borough assembled at Sessions to be held by them at the usual Time of holding Quarterly Sessions of the Peace, or at such other Time as they may appoint:
5. As respects any Prison belonging to any City, District, Borough, or Town having a separate Prison Jurisdiction, and not herein-before mentioned, the Justices or other Persons having Power at Law to make Rules for the Government of such Prison.

7. The Provisions of the Act of the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter Ninety-two, shall apply to all Contracts, Mortgages, or Conveyances entered into or executed in pursuance of this Act by or on behalf of or with the Justices of any County, Riding, Division, Hundred, or Liberty of a County in General or Quarter Sessions assembled; and in the Construction of that Act the Expression "Justices in Quarter Sessions assembled" shall include the Justices of the County in Gaol Sessions assembled, in pursuance of the Act of the Fifth Year of King *George* the Fourth, Chapter Twelve, and shall also include the Bailiff and Justices of the Liberty of *Romney Marsh* assembled at any Sessions or Meeting. And all Contracts, Mortgages, or Conveyances entered into or executed in pursuance of this Act by or on behalf of or with any other Prison Authority shall be entered into and executed in manner in which such Instruments or Deeds are usually entered into by such Authority. Contracts, &c. by Prison Authority in Counties.

PART I.

The Maintenance and Government of Prisons.

Obligation to maintain Prisons.

Maintenance of Prisons by separate Prison Jurisdiction.

8. There shall be provided, at the Expense of every County, Riding, Division, Hundred, Liberty, Franchise, Borough, Town, or other Place having a separate Prison Jurisdiction, adequate Accommodation for its Prisoners in a Prison or Prisons constructed and regulated in such Manner as to comply with the Requisitions of this Act in respect of Prisons.

All Expenses incurred by a Prison Authority in carrying into effect the Provisions of this Act shall be defrayed out of the County Rate, or Rate in the Nature of a County Rate, Borough Rate, or other Rate leviable in the County, Riding, Division, Hundred, Liberty, Franchise, Borough, Town, or other Place having a separate Prison Jurisdiction, and applicable to the Maintenance of a Prison, or out of any other Property applicable to that Purpose.

Definition of separate Prison Jurisdiction.

9. For the Purposes of this Act every County, Riding, Division, Hundred, Liberty, Franchise, Borough, Town, or other Place shall be deemed to have a separate Prison Jurisdiction which maintains a separate Prison, or would be liable at Law to maintain a separate Prison if Accommodation were not provided for its Prisoners in the Prison of some other Jurisdiction.

Where a County is divided into Ridings or Divisions, and a Prison is maintained at the common Expense of such Ridings or Divisions, that County shall in relation to such Prison, and for the Purposes thereof, be deemed to have a separate Prison Jurisdiction, notwithstanding a separate County Rate is not levied in such County at large.

Appointment of Officers.

Officers of Prison.

10. There shall be appointed to every Prison by the Justices in Sessions assembled,

A Gaoler; a Chaplain, being a Clergyman of the Established Church; a Surgeon, duly registered as such, under the Act of the Session of the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter Ninety; and such subordinate Officers as may be necessary.

And to every Prison in which Females are confined,

A Matron and such subordinate Female Officers as may be necessary.

Provided, that in a Prison where Females only are imprisoned the Matron shall be deemed to be the Gaoler, and shall, so far as is practicable, perform all the Duties and be subject to all the Obligations of a Gaoler in relation to such Prison.

11. The

11. The same Person may officiate as Chaplain of any Two Prisons situate within a convenient Distance from each other, if such Prisons together are calculated to receive not more than One hundred Prisoners; but the Chaplain of more than One Prison, and the Chaplain of any Prison in which the average Number of Prisoners confined at any One Time during the Three Years next before his Appointment has not been less than One hundred, shall not, whilst holding his Chaplaincy, hold any Benefice with Cure of Souls or any Curacy.

Appointment of Chaplain to Two Prisons.

12. The Justices in Sessions assembled may appoint an Assistant Chaplain, being a Clergyman of the Established Church, and a Deputy Gaoler, or either of such Officers, to any Prison which they deem sufficiently large to require the Appointment of such Officers or either of them.

Assistant Chaplains and Deputy Gaoler.

13. Notice of the Nomination of a Chaplain or Assistant Chaplain to a Prison shall, within One Month after it has taken place, be transmitted to the Bishop of the Diocese in which the Prison is situate, and no Chaplain or Assistant Chaplain shall officiate in any Prison until he has obtained a Licence for that Purpose from the Bishop of the Diocese wherein the Prison is situate, nor for any longer Time than while such Licence continues in force.

Notice to be sent to Bishop as to Chaplains and Assistant Chaplains.

14. Every Officer of a Prison appointed under this Act shall hold his Office during the Pleasure of the Justices in Sessions assembled, and shall receive such Salary as they may direct, subject to this Proviso, that in the Case of a Municipal Borough the Amount of the Salary of every Prison Officer appointed under this Act shall be approved by the Council.

Tenure of Office and Salaries of Prison Officers.

15. If any Officer of a Prison has been an Officer of such Prison for not less than Twenty Years, and is not less than Sixty Years of Age, or becomes incapable, from confirmed Sickness, Age, or Infirmity, or Injury received in actual Execution of his Duty, of executing his Office in Person, and such Sickness, Age, Infirmity, or Injury is certified by a Medical Certificate, and there shall be a Report of the Visiting Justices testifying to his good Conduct during his Period of Service, and recommending a Grant to be made to him (such Report to be made at some Sessions of the Justices holden not less than Two Months before the Sessions at which the Grant is made), the Justices in Sessions assembled may grant to such Officer, having regard to his Length of Service, an Annuity, by way of Superannuation Allowance, not exceeding Two Thirds of his Salary and Emoluments, or a Gratuity not exceeding the Amount of his Salary and Emoluments for One Year; any Annuity or

Superannuation of Officers.

Gratuity so fixed to be payable out of the Rates lawfully applicable to the Payment of the Salaries of such Officers. Where the Power to levy the last-mentioned Rates is vested in a different Body from the Justices, the Consent of such last-mentioned Body shall be obtained to the Amount of Superannuation allowed.

Removal of Prison Officers from Apartments.

16. Whenever any Officer of a Prison is suspended, removed from, or resigns his Office, or departs this Life, the Officer so suspended, removed, or resigning, and his Family, and the Family of every such deceased Officer, shall quit the Possession of the House or Apartments in which he or they have previously resided by virtue of such Office when required so to do by Notice under the Hand or Hands of Two or more Visiting Justice or Justices of the Peace; and if he or they refuse or neglect to give such Possession for Forty-eight Hours after such Notice as aforesaid has been given to him or them, any Two Justices, upon Proof made to them of such Removal, Resignation, or Death, and of the Service of such Notice, and of such Neglect or Refusal to comply therewith, may, by Warrant under their Hands and Seals, direct any Constable, within a Period therein named, to enter by Force, if necessary, into such Premises, and deliver Possession thereof to the Prison Authority, or to any Person appointed by the Visiting Justices.

Discipline of Prisoners.

Requisitions of Act as to Separation of Prisoners.

17. The Requisitions of this Act with respect to the Separation of Prisoners are as follows:

1. In every Prison separate Cells shall be provided equal in Number to the Average of the greatest Number of Prisoners, not being Convicts under Sentence of Penal Servitude, who have been confined in such Prison at any Time during each of the preceding Five Years:
2. In every Prison Punishment Cells shall be provided or appropriated for the Confinement of Prisoners for Prison Offences:
3. In a Prison containing Female Prisoners as well as Males, the Women shall be imprisoned in separate Buildings or separate Parts of the same Buildings, in such Manner as to prevent their seeing, conversing, or holding any Intercourse with the Men:
4. In a Prison where Debtors are confined, Means shall be provided for separating them altogether from the Criminal Prisoners:
5. In a Prison where Criminal Prisoners are confined, such Prisoners shall be prevented from holding any Communication with each other, either by every Prisoner being kept in a separate Cell by Day and by Night, except when he is

is at Chapel or taking Exercise, or by every Prisoner being confined by Night to his Cell, and being subjected to such Superintendence during the Day as will, consistently with the Provisions of this Act, prevent his communicating with any other Prisoner.

Cells to be certified for Confinement of Prisoners.

18. No Cell shall be used for the Separate Confinement of a Prisoner unless it is certified by One of Her Majesty's Inspectors of Prisons to be of such a Size, and to be lighted, warmed, ventilated, and fitted up in such a Manner, as may be requisite for Health, and furnished with the Means of enabling the Prisoner to communicate at any Time with an Officer of the Prison; but a Distinction may be made in respect of the Use of Cells for the Separate Confinement of Prisoners during long and short Periods of Imprisonment, and in respect of the Use of Cells in which the Prisoner is intended to be employed during the whole Day, or for a long or short Part thereof; and the Certificates of the Inspector may be varied accordingly, so as to express the Period of Imprisonment for which each Cell may be considered fit, and the Number of Hours in the Day during which the Prisoners may be employed therein.

No Punishment Cell shall be used unless it is certified by such Inspector that it is furnished with the Means of enabling the Prisoner to communicate at any Time with an Officer of the Prison, and that it can be used as a Punishment Cell without Detriment to the Prisoner's Health, and the Time for which it may be so used shall be stated in the Certificate.

Every certified Cell shall be distinguished by a Number or Mark placed in a conspicuous Position, and shall be referred to by its Number or Mark in the Certificate of the Inspector, and if the Number or Mark of any certified Cell is changed without the Consent of the Inspector, such Cell shall be deemed to be an uncertified Cell until a fresh Certificate has been given.

Any Certificate given by an Inspector in respect of a Cell may be withdrawn on such Alteration taking place in such Cell as to render the Certificate, in his Opinion, inapplicable thereto, and upon a Certificate in respect of a Cell being withdrawn that Cell shall cease to be a certified Cell for the Purposes of this Act.

If any Prison Authority feel aggrieved by the Refusal of the Inspector to certify a Cell for any of the Purposes of this Act, it may appeal to One of Her Majesty's Principal Secretaries of State, and his Decision shall be final.

Requisitions of Act as to Hard Labour.

19. Hard Labour for the Purposes of this Act shall be of Two Classes, consisting, 1st, of Work at the Tread Wheel, Shot Drill, Crank, Capstan, Stone-breaking, or such other like Description of

of hard bodily Labour as may be appointed by the Justices in Sessions assembled, with the Approval of the Secretary of State, which Work is herein-after referred to as Hard Labour of the First Class; 2dly, of such other Description of bodily Labour as may be appointed by the Justices in Sessions assembled, with the Approval of the Secretary of State, which Work is herein-after referred to as Hard Labour of the Second Class; and in every Prison where Prisoners sentenced to Hard Labour are confined, adequate Means (having regard to the average Number of such Prisoners confined in that Prison during the preceding Five Years) shall be provided for enforcing Hard Labour in accordance with the Regulations of this Act; and no Prison shall be deemed to be in conformity with the Requisitions of this Act with respect to the Enforcement of Hard Labour unless such Means as aforesaid have been provided therein, and Prisoners sentenced to Hard Labour have been employed thereat in manner provided by this Act: Provided, that Employment in the necessary Services of the Prison may, in the Case of a limited Number of Prisoners, to be selected by the Visiting Justices, as a Reward for Industry and good Behaviour, be deemed to be Hard Labour of the Second Class.

Regulations as to Government of Prisons.

20. The Regulations contained in the First Schedule hereto with respect to the Government of Prisons shall be binding on all Persons in the same Manner as if they were enacted in the Body of this Act.

Rules in addition to Regulations in Schedule

21. The Justices in Sessions assembled shall make Rules for the Supply to all Prisoners confined in Prisons within their Jurisdiction of a sufficient Quantity of plain and wholesome Food, regard being had so far as relates to convicted Criminal Prisoners to the Nature of the Labour required from or performed by such Prisoners, so that the Allowance of Food may be duly apportioned thereto, and shall frame Dietary Tables for this Purpose, and the said Justices may make Rules in respect of any other Matters relating to the Government of Prisons within their Jurisdiction, in addition to the Regulations in the said First Schedule, and may from Time to Time repeal or alter any Rules made or Dietary Tables framed in pursuance of this Section; but no Rule or Dietary Table, or Repeal or Alteration of a Rule or Dietary Table, shall be valid under this Section until One of Her Majesty's Principal Secretaries of State has certified his Approval in Writing under his Hand; and when such Approval has been certified, such Rule or Dietary Table, or Repeal or Alteration of a Rule or Dietary Table, shall be binding on all Persons in the same Manner as if it were enacted by this Act. If the Justices in Sessions assembled make default in making Rules and Dietary Tables that may be approved by the said

said Secretary of State in respect of the Supply of Food to Prisoners in any Prison within their Jurisdiction, there shall be in force in such Prison such Rules or Dietary Tables with respect to such Supply as may from Time to Time be determined by the said Secretary of State in Writing under his Hand.

Inspector of Prisons to leave a Minute of Observations.

22. Upon visiting or inspecting a Prison to which this Act applies, the Inspector shall, by Letter addressed to the Visiting Justices, call their Attention to any Irregularity he may have observed therein, or any Complaint he may have to make against the Buildings, the Officers, or the Discipline of the Prison, and the Visiting Justices shall enter a Copy of such Letter in their Minute Book.

Enlargement and Rebuilding of Prisons.

Power to build Prisons.

23. Subject to the Conditions herein-after mentioned, any Prison Authority may alter, enlarge, or rebuild any of its Prisons, or may, if necessary, build other Prisons in lieu of or in addition to any subsisting Prisons, and may borrow Money for the Purpose of such Alteration, Enlargement, new building, or building.

Conditions as to building Prisons.

24. The Necessity for any Alteration or Enlargement or for rebuilding of an existing Prison, or for the building of a new Prison, shall be proved, in the Case of a Municipal Borough, by the Certificate of the Recorder, or Chairman of Quarter Sessions where there is no Recorder, and in any other Case by a Presentment of Two or more of the Visiting Justices or other Justices having Jurisdiction within the District of the Prison Authority; and the Consideration of such Certificate or Presentment shall not be entertained by the Prison Authority unless not less than Three Weeks previous Notice has been given in some One or more public Newspaper or Newspapers circulating within the District of the Prison Authority of their Intention to take the same into consideration at a Time and Place to be mentioned in such Notice, and in every Case the Sanction of One of Her Majesty's Secretaries of State must be obtained to any such Alteration, Enlargement, rebuilding, or building.

Mode of obtaining Sanction of Secretary of State to building of Prisons.

25. In order to obtain the Sanction of the Secretary of State to the Alteration, Enlargement, or rebuilding of any Prison, the Prison Authority shall forward to him a Plan of the proposed Alterations, Enlargement, or new Building, drawn on such Scale and accompanied with such Particulars as the said Secretary may determine, and shall add thereto an Estimate of the Expense proposed to be incurred by the Prison Authority, and the Amount of Money proposed to be borrowed; and wherever a new Prison is built,

built, or an old Prison is altered, enlarged, or rebuilt, a Chapel or suitable Room shall be provided easy of Access to the Prisoners, and shall be strictly set apart for Religious Worship, or for the Religious and Moral Instruction of the Prisoners, and shall not be employed for any other Purpose.

Approval of Secretary of State.

26. The said Secretary of State may approve of the Plans submitted to him with or without Modification, or may disapprove of the same, and his Approval or Disapproval shall be certified in Writing under his Hand.

Charge of borrowed Monies.

27. Any Monies borrowed by a Prison Authority may be charged by that Authority on any County Rate or Rate in the Nature of a County Rate, Borough Rate, or other Rate applicable to the Maintenance of a Prison and leviable by that Authority, or on any other Property belonging to that Authority and applicable to the same Purpose as the said Rates, and shall be repaid, together with the Interest due thereon, out of such Rates or other Property.

Certain Clauses of 10 & 11 Vict. c. 16. as to borrowing Money incorporated.

28. The Clauses of "The Commissioners Clauses Act, 1847," with the Exception of the Eighty-fourth Clause with respect to Mortgages to be created by the Commissioners, shall form Part of and be incorporated with this Act, and any Mortgagee or Assignee may enforce Payment of his Principal and Interest by Appointment of a Receiver.

In the Construction of the said Clauses "the Commissioners" shall mean "the Prison Authority."

Where a Prison Authority borrows any Money for the Alteration, Enlargement, or rebuilding of any Prison, or the building of any new Prison, they shall charge the Rates or Property out of which the Monies borrowed are payable not only with the Interest of the Monies so borrowed, but also with the Payment of such further Sum as will ensure the Repayment of the whole Sum borrowed within Thirty Years, or if the Loan has been made by the Public Works Loan Commissioners as defined by the Public Works Loan Act, 1853, within Twenty Years of the Time of borrowing the same.

Public Works Loan Commissioners to lend Money for building Prisons.

29. The said Public Works Loan Commissioners as defined by the Public Works Loan Act, 1853, may advance to any Prison Authority upon the Security of any Rate applicable to or chargeable with the Maintenance of a Prison without any further Security, for the Purpose of altering, enlarging, or rebuilding any subsisting Prison or building any new Prison in pursuance of this Act, such Sums of Money as may be recommended by One of Her Majesty's Principal Secretaries of State.

30. It

Prisons.

30. It shall be lawful for One of Her Majesty's Principal Secretaries of State to appoint a proper Person to be a Surveyor General of Prisons for the Purpose of advising Prison Authorities on the Construction of Prisons, and reporting to the Secretary of State on the several Plans of Prisons which may be sent to him for his Report, and for the Performance of such other Duties connected with the Construction of Prisons as may be from Time to Time entrusted to him by the Secretary of State.

Appointment of Surveyor General of Prisons.

Contracts for Maintenance of Prisoners and Appropriation of Prisons.

31. Any Prison Authority may contract with any other Prison Authority having a Prison in conformity with the Requisitions of this Act, that the latter Authority is to receive into and maintain in its Prison or One of its Prisons all Prisoners maintainable at the Expense of the former Authority, or any particular Class or Classes of such Prisoners: Provided—

That no such Contract shall be valid unless the Prison of the latter Authority is approved by One of Her Majesty's Principal Secretaries of State as being a fit Prison to receive the Prisoners contracted to be received there.

Contracts by Prison Authorities for Maintenance of Prisoners.

32. A Contract entered into between Prison Authorities for the Reception into and the Maintenance in the Prison of the one Authority of the Prisoners maintainable by the other Authority may include the Costs of conveying the Prisoners to Prison, and all other Costs incurred in respect of such Prisoners.

All Monies payable under the Contract shall be raised in the same Manner in which Monies for defraying the Expenses of the Prison for which a Substitute is provided under the Contract would be raiseable; and where such Expenses are not by Law wholly defrayable out of One Fund, and a Difference arises between the several Persons interested in the several Funds applicable to defraying such Expenses as to what Proportion ought to be applied to paying the Expenses arising under the Contract, such Difference shall be settled by Arbitration in manner herein-after mentioned.

Expenses of Contracts between Prison Authorities.

33. Where Two or more Prisons are within the Jurisdiction of the same Prison Authority, that Authority may carry into effect the Requisitions of this Act with respect to the Separation of Prisoners or the Enforcement of Hard Labour by appropriating particular Prisons to particular Classes of Prisoners.

Appropriation of Prisons for Purposes of Classification.

34. Where a Change has been made as to the Prison to which Prisoners committed within the Jurisdiction of any Prison Authority

Public Notice of Prisons being

appropriated to certain Prisoners.

Authority may be sent by reason of such Authority having appropriated any of its Prisons to a particular Class of Prisoners, or having contracted with another Prison Authority for the Reception of its Prisoners, or from any other Cause, Notice of such Change shall be published once at the least in each of Two successive Weeks in some Newspaper or Newspapers usually circulated within the Jurisdiction of the said Prison Authority, and a Copy thereof shall be served upon the Gaoler of every Prison within such Jurisdiction.

Penalty for inadequate Prisons.

Government Allowance withheld from inadequate Prisons.

35. Whenever it appears to One of Her Majesty's Principal Secretaries of State that Default has been made in any Prison in complying with the Requisitions of this Act in respect of the Separation of Prisoners or of the Enforcement of Hard Labour, or of providing a Chapel or suitable Room for Religious Worship, it shall be lawful for the said Secretary of State to certify such Non-compliance in Writing under his Hand to the Commissioners of Her Majesty's Treasury, and upon such Certificate being given no Contribution shall thenceforth be paid out of Monies provided by Parliament towards the Expenses of maintaining any Prisoners in that Prison until the said Secretary of State has revoked his Certificate, upon being satisfied that the defaulting Prison has been brought into conformity with the Requisitions of this Act, and then only from the Date of such Revocation:

Provided,—

1st. That this Section shall not affect the Payment of any Contribution payable on or before the Thirty-first Day of *December* One thousand eight hundred and sixty-six:

2d. That before the Certificate of the said Secretary of State is given under this Section with respect to any Prison, a Copy of the Report of the Inspector of Prisons relating to that Prison, and a Statement of the Grounds on which the said Secretary proposes to give his Certificate, shall be sent to the Prison Authority; and it shall be lawful for such Authority, upon receiving a Copy of the said Report and Statement, to address any Explanations or Observations relating thereto to the said Secretary of State:

3d. Whenever the Certificate of the Secretary of State is given under this Section in respect of a Prison, a Copy of the said Statement of Grounds, accompanied with any such Explanations or Observations as aforesaid, shall be laid before Parliament.

Power of Secretary of State to close

36. If at any Time it appear to One of Her Majesty's Principal Secretaries of State that a Prison Authority has, in respect of any Prison

Prison within its Jurisdiction, made default for Four successive Years in complying with the Requisitions of this Act with respect to the Separation of Prisoners, or with respect to the Enforcement of Hard Labour, or with respect to providing a Chapel or suitable Room for Religious Worship, the said Secretary of State may, by Notice under his Hand, addressed to the Authority of that Prison, and forwarded by Post in a prepaid Letter to the Gaoler of the Prison, or otherwise delivered to him, require that Authority, within a Time specified in such Notice, to bring such Prison into conformity with the Requisitions of this Act with respect to such Matters as aforesaid, or to exercise the Powers given to such Authority by this Act of contracting for the Removal of the whole or a Number of its Prisoners proportioned to the Inadequacy of its Prison in respect of such Separation or Means of providing such Hard Labour to some other Prison where Means exist for carrying into effect the Requisitions of this Act with respect to the Separation of Prisoners or Means of enforcing Hard Labour: and if any Prison Authority to whom such Notice is given fail, within Six Months after the Receipt thereof, to comply with the Requirements thereby made, the said Secretary of State may order the said inadequate Prison to be closed, and direct the Removal of the Prisoners therein and the Committal of future Prisoners to some other Prison, the Authority of which may be willing to receive them; and upon such Order being made it shall be the Duty of the Gaoler of the said inadequate Prison, without further Warrant, to remove all the Prisoners therein to the substituted Prison named in the Order of the Secretary of State, and such substituted Prison shall thenceforth, and so long as such Order is in force, for all Purposes relating to the Committal, Detention, Trial, and Punishment of the Prisoners so removed, and of the Prisoners committed thereto in pursuance of this Section, be deemed to be the Prison of the defaulting Authority, and that Authority shall pay, out of any Rates or Monies applicable to the Support of the inadequate Prison, all Expenses incurred in and about the closing of that Prison, and the Removal of the Prisoners therein to the substituted Prison; and all Expenses incurred by the Authority of the substituted Prison in respect of the Prisoners committed to that Prison in pursuance of this Section shall be defrayed by the Authority of the inadequate Prison in the same Manner in all respects as if that Authority had contracted in pursuance of this Act with the Authority of the substituted Prison for the Reception in the last-mentioned Prison of Prisoners belonging to the Authority of the inadequate Prison.

Inadequate Prisons.

Notice of any Order made by the said Secretary of State in pursuance of this Section shall be published in the *London Gazette*, and

and once at least in Two successive Weeks in One of the Newspapers usually circulating in the County, City, Borough, or Place in which the Prison to which the Order relates is situate, and a Copy of the Gazette or Newspaper containing such Order shall be conclusive Evidence of its Contents.

Offences in relation to Prisons.

Assisting Prisoners to escape.

37. Every Person who aids any Prisoner in escaping or attempting to escape from any Prison, or who, with Intent to facilitate the Escape of any Prisoner, conveys or causes to be conveyed into any Prison any Mask, Dress, or other Disguise, or any Letter, or any other Article or Thing, shall be guilty of Felony, and on Conviction be sentenced to Imprisonment with Hard Labour for a Term not exceeding Two Years.

Punishment for carrying spirituous Liquors or Tobacco into Prison.

38. Every Person who, contrary to the Regulations of the Prison, brings or attempts by any Means whatever to introduce into any Prison any spirituous or fermented Liquor or Tobacco, and every Officer of a Prison who suffers any spirituous or fermented Liquor or Tobacco to be sold or used therein, contrary to the Prison Regulations, on Conviction shall be sentenced to Imprisonment for a Term not exceeding Six Months, or to a Penalty not exceeding Twenty Pounds, or both in the Discretion of the Court, and every Officer of a Prison convicted under this Section shall, in addition to any other Punishment, forfeit his Office and all Arrears of Salary due to him.

Punishment for carrying Letters into and out of Prisons.

39. Every Person who, contrary to the Regulations of a Prison, conveys or attempts to convey any Letter or other Document, or any Article whatever not allowed by such Regulations, into or out of any Prison, shall on Conviction incur a Penalty not exceeding Ten Pounds, and if an Officer of the Prison shall forfeit his Office and all Arrears of Salary due to him, but this Section shall not apply in Cases where the Offender is liable to a more severe Punishment under any other Provision of this Act.

Notice of Penalties to be placed outside of Prison.

40. The Visiting Justices shall cause to be affixed in a conspicuous Place outside the Prison a Notice setting forth the Penalties that will be incurred by Persons committing any Offence in contravention of the Three preceding Sections.

Discharge of Prisoners.

When Term of Imprisonment expires on Sunday,

41. Any Prisoner confined in a Prison whose Term of Imprisonment would, according to his Sentence, expire on any Lord's Day, shall be entitled to his Discharge on the *Saturday* next preceding such

such Lord's Day; and every Gaoler of every Prison having the Custody of any such Prisoner as aforesaid is hereby required and authorized to discharge such Prisoner on the *Saturday* next preceding any such Lord's Day.

Prisoner to be discharged on preceding Day.

42. Where any Prisoner is discharged from Prison, the Visiting Justices may order a Sum of Money not exceeding Two Pounds to be paid out of any Monies under their Control, and applicable to the Payment of the Expenses of the Prison, by the Gaoler to the Prisoner himself, or to the Treasurer of a certified Prisoners Aid Society, on his receiving from such Society an Undertaking in Writing, signed by the Secretary thereof, to apply the same for the Benefit of the Prisoner, or, if that becomes impossible, to appropriate the whole or any unapplied Part thereof for the Benefit of such other Prisoner or Prisoners discharged from the said Prison as the Visiting Justices may direct.

Allowance to discharged Prisoner.

43. When a Prisoner is discharged from Prison the Visiting Justices of the Prison may provide such Prisoner out of any Monies under their Control, and applicable to the Payment of the Expenses of the Prison, with the Means of returning to his Home or Place of Settlement, by causing his Fare to be paid by Railway, or in any other convenient Manner.

Discharged Prisoners provided with Means of returning to Place of Settlement.

Purchase of Land.

44. Any Prison Authority may purchase and hold such Lands or Easements relating to Lands as they may require for the Purposes of this Act; and to facilitate such Purposes "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and subject to the Conditions herein-after contained; that is to say,

Certain Provisions of 8 & 9 Vict. c. 18. incorporated.

1. There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; the Provisions relating to the Entry upon Lands by the Promoters of the Undertaking contained in Sections Eighty-four to Ninety-one, both inclusive; Section One hundred and twenty-three, whereby a Limit of Time for the compulsory

pulsory Purchase of Land is imposed; or the Provisions relating to Access to the Special Act:

2. In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the Special Act, and the Prison Authority shall be deemed to be the Promoters of the Undertaking, and the Word "Lands" shall include any Easement in or out of Lands:

3. The Prison Authority shall not, except in respect of Lands contiguous to a Prison, and required for the Purpose of enlarging a Prison or rendering it more commodious or safe, put in force the Provisions of the said incorporated Acts with respect to the Purchase of Land otherwise than by Agreement.

Confirmation of Title to Lands purchased for Purpose of Prisons.

45. When any Lands have been purchased for the Purposes of a Prison in pursuance of this Act, such Lands shall, at the Expiration of Five Years from the Date of a Conveyance having been made to any Person or Body Corporate on trust for such Purposes, absolutely vest in that Person or Body Corporate for all the Estate or Interest purported to be conveyed, to be held on trust for the aforesaid Purposes; and if before the Expiration of the said Term of Five Years any Proceedings are taken on which Judgment is obtained for the Recovery of the Possession of the said Lands, then within Two Calendar Months after Judgment has been obtained there shall be paid to the Person obtaining such Judgment, instead of the Delivery of Possession of the Lands, all Costs incurred in obtaining such Judgment and Compensation for the full Value of his Estate or Interest in such Lands, the Amount of such Compensation to be ascertained in manner provided by the said Lands Clauses Consolidation Act, 1845, in case of disputed Compensation as to Land, and to be calculated on the Basis of the Value of the Land at the Time of the Purchase thereof.

Disposal of unnecessary Prisons.

Sale of unnecessary Prisons.

46. Any Prison Authority may sell any Prison or Land belonging to or held on trust for them as such Prison Authority that appears to them to be unnecessary by reason of their having provided for the Accommodation of their Prisoners, and the Monies arising from such Sale shall be applied in discharging any Expenses that may have been or may hereafter be incurred by such Authority in building, altering, enlarging, or rebuilding any Prison within their Jurisdiction, or otherwise in aid of the Rate raiseable for the Maintenance of their Prison.

47. No

47. No Sale or Purchase shall be made in pursuance of this Act by a Prison Authority, unless not less than Three Weeks previous Notice has been given in some One or more public Newspaper or Newspapers circulating within the District of the Prison Authority, of their Intention to take into consideration the Propriety of making such a Sale or Purchase at a Time and Place to be mentioned in such Notice. Conditions of Sale.

Any Sale in pursuance of this Act may be made by Private Contract or Public Auction, and subject to any special Conditions as to Title or other Matters the Vendors may think expedient. No Purchaser shall be required to examine into the Propriety of the Sale of any Prison or Land in pursuance of this Act, or into the Appropriation of any Monies paid by him to the Vendors; and any such Sale shall, in the Absence of actual Fraud on his Part, be valid so far as he is concerned, notwithstanding any Omission to give such Notice as aforesaid, or any other Impropriety in the Sale or Misapplication of the Purchase Money.

Miscellaneous.

48. It shall be the Duty of the Coroner having Jurisdiction in the Place to which the Prison belongs to hold an Inquest on the Body of every Prisoner who may die within the Prison. Where it is practicable, One clear Day shall intervene between the Day of the Death and the Day of the holding the Inquest; and in no Case shall any Officer of the Prison, or any Prisoner confined in the Prison, be a Juror on such Inquest. Inquests on Prisoners.

49. If any Suit or Action is prosecuted against any Person for anything done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done by Authority of this Act; and if a Verdict passes for the Defendant, or the Plaintiff becomes nonsuited, or discontinues his Action after Issue joined, or if, upon Demurrer or otherwise, Judgment be given against the Plaintiff, the Defendant shall recover double Costs, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and though a Verdict be given for the Plaintiff in any such Action such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial takes place certifies his Approbation of the Action and of the Verdict obtained thereupon. General Issue may be pleaded to Action.

50. All Actions, Suits, and Prosecutions commenced against any Person for anything done in pursuance of this Act shall be laid and tried in the County or Place where the Act complained of Venue where laid.

Provision as to Arbitration.

of was committed, and shall be commenced within Six Calendar Months after the Committal thereof, and not otherwise.

51. Any Difference authorized or directed by this Act to be settled by Arbitration shall be referred to the Arbitration of a Barrister-at-Law to be appointed in Writing, on the Application of any Party to the Difference, by any Judge of Assize of the last preceding or of the next succeeding Circuit; and all the Provisions of "The Common Law Procedure Act, 1854," relating to compulsory References, shall be deemed to extend to any such Arbitration, with this Addition, that it shall be obligatory on the Arbitrator, at the Request of any Party to the Difference, to state a Special Case for the Opinion of a Superior Court.

Recovery of Penalties.

52. Offences under this Act, with the Exception of Felonies, and of Offences for the Mode of Trial of which express Provision is made by this Act, shall be prosecuted summarily before Two Justices acting for the Division or Place where the Matter requiring the Cognizance of such Justices arises, and in manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three, and any Act amending the same.

Visiting Justices.

Appointment of Visiting Justices.

53. The Justices within every Prison Jurisdiction, in Sessions assembled, shall, at their First Sessions in each Year, nominate Two or more Justices, with their Consent, to be Visitors of each Prison within their Jurisdiction, with Power, if they think fit, to declare such Nomination to be for the whole Year, or to renew the same or make a fresh Nomination in each succeeding Quarter of the Year; and One or more of the Visiting Justices so appointed shall from Time to Time visit and inspect each Prison, and shall examine into the State of the Buildings, so as to form a Judgment as to the Repairs, Additions, or Alterations which may appear necessary, strict Regard being had to the Requisitions of this Act with respect to the Separation of Prisoners, and Enforcement of Hard Labour in Prisons, and shall further examine into the Conduct of the respective Officers, and the Treatment and Conduct of the Prisoners, the Means of setting them to work, the Amount of their Earnings, and the Expenses attending the Prison, and shall inquire into all Abuses within the Prison, and shall take cognizance of Matters of pressing Necessity, and within the Powers of their Commission as Justices, and regulate the same, and shall once at least in each Quarter of a Year make a Report to the Justices in Sessions assembled.

54. The

54. The Justices in Sessions assembled may make Rules with respect to the Duties of Visiting Justices, and from Time to Time repeal or alter any Rule so made, and make other Rules in addition thereto or in substitution therefor, but no Rules shall be valid which are inconsistent with any Provision of this Act. Power to make Rules as to Visiting Justices.

55. Any Justice of the Peace having Jurisdiction in the Place to which a Prison belongs may, whenever he thinks fit, enter into and examine the Condition of such Prison, and of the Prisoners therein, and he may enter any Observations he may think fit to make in reference to the Condition of the Prison, or Abuses therein, in the Visitors Book to be kept by the Gaoler; and it shall be the Duty of the Gaoler to draw the Attention of the Visiting Justices, at their next Visit to the Prison, to any Entries made in the said Book; but he shall not be entitled in pursuance of this Section to visit any Prisoner under Sentence of Death, or to communicate with any Prisoner, except in reference to the Treatment in Prison of such Prisoner, or to some Complaint that such Prisoner may make as to such Treatment. Visits to Prison by any Justice.

PART II.

Law of Prisons.

56. Subject to the Provisions of this Act with respect to the Appropriation of Prisons to particular Classes of Prisoners, every Prison to which this Act applies shall be deemed to be a Gaol and House of Correction, but no Class of Prisoners that have not previously to the Commencement of this Act been confined in any Prison shall be confined there until One of Her Majesty's Principal Secretaries of State has certified that such Prison is a fit Place of Confinement for that Class of Prisoners. Abolition of Distinction between Gaol and House of Correction.

57. Every Prison, wheresoever situate, shall for all Purposes be deemed to be within the Limits of the Place for which it is used as a Prison. Jurisdiction over Prison.

58. Every Prisoner confined in a Prison shall be deemed to be in the legal Custody of the Gaoler, provided that nothing in this Act contained shall affect the Jurisdiction or Responsibility of the Sheriff in respect of Prisoners under Sentence of Death, or his Jurisdiction or Control over the Prison where such Prisoners are confined, Custody of Prisoners.

confined, and the Officers thereof, so far as may be necessary for the Purpose of carrying into effect the Sentence of Death, or for any Purpose relating thereto; and in any Prison in which Sentence of Death is required to be carried into effect on any Prisoner, whether such Prison is or not the Common Gaol of the County, the Sheriff shall, for the Purposes of carrying that Sentence into execution, be deemed to have the same Jurisdiction with respect to such Prison as he has by Law with respect to the Common Gaol of a County, or would have had if this Act had not passed.

Security to Sheriff.

59. The Gaoler of any Prison in which Debtors are confined shall give Security to the Sheriff for their safe Custody to such Amount as may be determined by Agreement, or, in default of Agreement, may be settled by the Justices in Sessions assembled; and any such Security may be given to the Sheriff and his Successors in Office, and shall be deemed to enure to the Benefit of each succeeding Sheriff in the same Manner as if he were individually named therein.

Responsibility of Sheriff.

60. The Sheriff shall not be liable for the Escape from Imprisonment of any Prisoner other than a Debtor.

Description of Prison in Writ.

61. Any Writ, Warrant, or other legal Instrument addressed to the Gaoler of a particular Prison, describing the Prison by its Situation or other definite Description, shall be valid, by whatever Title such Prison is usually known, or whatever be the Description of the Prison, whether Gaol, House of Correction, *Bridewell*, Penitentiary, or otherwise.

Gaoler of Prison to deliver Calendar.

62. The Gaoler of every Prison shall deliver or cause to be delivered to the Judges of Assize, and to the Justices in Quarter Sessions, a Calendar of all Prisoners in Custody for Trial at such Assizes or Gaol Sessions, in the same Way as the Sheriff of a County has hitherto been required by Law to deliver a Calendar of such Prisoners when committed to the Common Gaol of the County, and the Sheriff shall no longer be required to deliver or cause to be delivered such Calendar.

Removal of Prisoners for Trial.

63. A Prisoner may be brought up for Trial, and may be removed by or under the Direction of the Gaoler from one Prison to another, or from one Place of Confinement to another, to which such Prisoner may be legally removed, for the Purpose of being tried or undergoing his Sentence, and no Prisoner whilst in the Custody of a Gaoler shall be deemed to have escaped, although he may be taken into different Jurisdictions or different Places of Confinement.

64. Prisoners

64. Prisoners may be removed from one Prison to another Prison or Place of Confinement within the Jurisdiction of the same Prison Authority, or to the Prison of any other Authority, with the Consent of such last-mentioned Authority, by Order of the Justices in Sessions assembled, for the Purpose of enabling any Prison to be altered, enlarged, or rebuilt, or in case of a contagious or infectious Disease breaking out in any Prison, or for any other reasonable Cause; and in case of Emergency such Removal may be made in pursuance of an Order under the Hands of the Visiting Justices; and any Prisoners removed from a Prison in pursuance of this Section may, by Order of the Justices in Sessions assembled, be taken back by the Gaoler to the Prison from whence they were removed, or be removed to any other Place in which they can legally be imprisoned.

Removal of Prisoners in other Cases.

65. It shall be lawful for Her Majesty, by an Order under the Hand of One of Her Majesty's Principal Secretaries of State, to direct any Person in Prison in *England* and *Wales* under Sentence of any Court, or of any competent Authority, for any Offence committed by him, to be removed from the Prison in which he is confined to any other of Her Majesty's Prisons within *England* and *Wales*, there to be imprisoned during his Term of Imprisonment.

Her Majesty may order Prisoners to be removed from one Prison to another.

66. Where a Prison Authority, in this Section called the contracting Authority, has contracted with any other Prison Authority, in this Section called the receiving Authority, that the receiving Authority is to receive into and maintain in its Prison any Prisoners maintainable at the Expense of the contracting Authority, the Prison of the receiving Authority shall for all the Purposes of and incidental to the Commitment, Trial, Detention, and Punishment of the Prisoners of the contracting Authority, or any of such Purposes, according to the Tenor of the Contract, be deemed to be the Prison of the contracting Authority, except that the contracting Authority shall have no Right to interfere in the Management of the Prison of the receiving Authority.

Custody and Trial of Prisoners in a substituted Prison.

67. In every Prison to which this Act applies Prisoners convicted of Misdemeanor, and not sentenced to Hard Labour, shall be divided into at least Two Divisions, One of which shall be called the First Division; and whenever any Person convicted of Misdemeanor is sentenced to Imprisonment without Hard Labour it shall be lawful for the Court or Judge before whom such Person has been tried to order, if such Court or Judge think fit, that such Person shall be treated as a Misdemeanant of the First Division, and

Misdemeanants of First Division.

and a Misdemeanant of the First Division shall not be deemed to be a Criminal Prisoner within the Meaning of this Act.

PART III.

DISCONTINUANCE OF CERTAIN PRISONS.

Prohibition of Committals to Prisons in Second Schedule.

68. After the Commencement of this Act no Person shall be committed to any of the Prisons mentioned in the Second Schedule hereto.

All Persons who before the passing of this Act might lawfully have been committed to any of the said Scheduled Prisons shall, after the passing thereof, be committed to the Prison of the County in which the said Scheduled Prison is situated; and such County Prison shall, for all Purposes relating to or consequential on the Committal, Trial, Detention, or Punishment of Prisoners committed or removed thereto in pursuance of this Part of this Act, be regarded in Law as if it were the said Scheduled Prison.

In this Part of this Act, so far as it relates to the Prison at *Richmond* in the said Second Schedule mentioned, "County" shall mean the North Riding of *Yorkshire*, and so far as relates to the Prison at *Rye* in the same Schedule mentioned the County Gaol of *Lewes* shall be deemed to be the Prison of the County.

Removal of Prisoners in Scheduled Prisons.

69. As soon as conveniently may be after the Commencement of this Act the Gaoler of each of the said Scheduled Prisons shall, without Writ of Habeas corpus or other Writ for that Purpose, remove every Prisoner under Sentence or committed for Trial in such Prison to the Prison of the County in which the said Scheduled Prison is situate, and deliver such Prisoner into the Custody of the Gaoler of the said County Prison, together with the Writ and other Process under which the Prisoner was arrested or confined; and the Gaoler of the said County Prison shall be bound to receive such Prisoner, and shall give a Receipt to the Gaoler of the said Scheduled Prison for every Prisoner removed in pursuance of this Section.

Expenses of Prisoners confined in County Prisons under Act.

70. The Expenses which may be incurred by any County in the Conveyance, Transport, Maintenance, safe Custody, and Care of every Prisoner confined, in pursuance of this Part of this Act, in the County Prison instead of in One of the said Scheduled Prisons, including the Expenses of the Removal of the Prisoners from one Prison to another, shall be defrayed in manner provided by Law

Law in Cases where the Prisoners committed for Offences arising within any Borough or other Place that does not contribute to the County Rate are sent to any Prison of a County, and there is no special Contract between such Borough or other Place and the County relative to such Prisoners.

71. The Prison Authority of any of the said Scheduled Prisons may sell the same in manner provided by this Act in case where a Prison appears to a Prison Authority to be unnecessary by reason of its having provided for the Accommodation of its Prisoners in some other adequate Prison, or may, with the Sanction of the said Secretary of State, cause the same to be used as a Police Station House or a Lock-up House, and the Money arising from any Sale made in pursuance of this Section shall be applied in discharging any Expenses that may be incurred by such Authority in the Maintenance of its Prisoners, or otherwise in aid of the Rate applicable to Prison Purposes.

Power to use Scheduled Prisons as Lock-up Houses.

72. The Justices in Sessions assembled having Jurisdiction over each of the said Scheduled Prisons may allow such Compensation or Allowance as they think fit to any Person who, by reason of the passing of this Part of this Act, is deprived of any Salary or Emoluments, so that no such Compensation or Allowance exceeds the Proportion of the Salary and Emolument, if any, which might be granted under similar Circumstances to a Person in the Civil Service under the Acts for regulating such Compensations or Allowances for the Time being in force; and any Compensation or Allowance so allowed shall be paid out of any Rates applicable to the Payment of the Salaries of such Officers, subject to this Proviso, that when the Power to levy such Rates is vested in a different Body from the Justices, the Consent of such last-mentioned Body shall be obtained to the Amount allowed.

Power to allow Compensation to Persons deprived of Office.

PART IV.

Repeal of Statutes, and Saving Clauses.

73. After the Commencement of this Act there shall be repealed the several Acts specified in the Third Schedule hereto to the Extent in the said Schedule mentioned.

Acts and Parts of Acts in Third Schedule repealed.

74. No Repeal hereby enacted shall affect,—

1. Any Order made, Sentence passed, or other Act or Thing duly done under any Acts hereby repealed:

No Repeal hereby enacted to

2. Any

affect any Order made, &c.

2. Any Right or Privilege acquired, any Security given, or other Liability incurred under any Act hereby repealed:
3. Any Penalty, Forfeiture, or other Punishment incurred in respect of any Offence against any Act hereby repealed:
4. Any Appointment to an Office made under any Act hereby repealed, or any Power of removing the Holder of such Office, or otherwise dealing with such Office as respects the existing Holder thereof in manner provided by any Act hereby repealed:
5. The Power of committing Prisoners to any Prison except in so far as the same may be altered in pursuance of Powers given by this Act.

Certificates as to Cells.

75. All Cells certified before the Commencement of this Act by any Inspector of Prisons as being fit to be used for the Separate Confinement of Prisoners shall be deemed to be Cells certified for such Purpose under this Act.

Saving as to repealed Provisions referred to in other Acts.

76. Any unrepealed Act of Parliament in which Reference is made to the Provisions of any Act hereby repealed shall be construed as if in such first-mentioned Act Reference had been made to the corresponding Provisions of this Act.

Saving as to Meaning of Gaol Act 25 & 26 Vict. c. 44.

77. In the Construction of the Act of the Twenty-fifth and Twenty-sixth Years of the Reign of Her present Majesty, Chapter Forty-four, the Expression "the Gaol Act" shall mean this Act instead of the Act therein referred to.

Saving of Rights of Creditors.

78. Nothing in this Act contained shall affect the Right of any Creditor who may have advanced any Monies for building, repairing, or otherwise for the Purposes of any Prison discontinued in pursuance of this Act, or may have advanced any Monies on any Mortgage or other Security; and it shall be lawful for such Creditor to pursue any Remedies for recovering the Principal or Interest Monies due to him, and to enjoy the Benefit of any Security of which he may be possessed, in the same Manner as if this Act had not passed, and as if the Acts hereby repealed had remained in full Force.

Saving of Superannuation Allowances.

79. Nothing in this Act contained shall affect the Tenure of Office or Salary or Superannuation Allowance of any Officer of a Prison, not being one of the said Scheduled Prisons, appointed prior to the Commencement of this Act, but such Officer shall remain entitled to the same Tenure of Office, Salary, and Superannuation Allowance as if this Act had not passed: Provided that the Super-

Superannuation Allowance of any Prison Officer appointed before the Commencement of this Act may, on the Application of such Officer, and with the Consent of the Justices in Sessions assembled, be calculated on the same Scale on which the Superannuation Allowances of Officers appointed after the passing of this Act are directed to be calculated.

Saving as to Rules.

80. All Rules in force in any Prison that are inconsistent with this Act, or the Regulations in the Schedule hereto, shall be repealed from and after the Commencement of this Act, but all other Rules in force in any Prison shall so continue until altered in manner in this Act provided.

Saving as to Appointment of Officers.

81. Nothing in this Act contained shall affect any Right vested by Act of Parliament or Charter in the Council of any Municipal Borough of appointing a Gaoler, Chaplain, or other Officer to the Prison of such Borough.

Saving as to Commissions.

82. Nothing in this Act contained relating to the Custody of Prisoners shall affect the Validity of any Commission of Gaol Delivery, Commission of Oyer and Terminer, or other Commission, Precept, Writ, Warrant, or other Document, notwithstanding the same may be addressed to or make mention of the Sheriff of any County, City, or Place, instead of being addressed to or making mention of the Gaoler of a Prison or Prisons; and every such Commission, Precept, Writ, Warrant, or other Document shall be obeyed by the Gaoler, and take effect in the same Manner as if the Gaoler had been named therein instead of the Sheriff.

INDEX TO SCHEDULES.

SCHEDULE I.

General.

No.
1. Cleanliness in Prison.
2. Trees, &c. not allowed against Walls.
3. Temperature of Prison.
4. Visitors not to sleep within the Prison.
5. Hours of locking and unlocking the Prison.

Admission and Discharge of Prisoner

6. Search of Prisoners on Admission.
7. Prisoner to be alone when searched.
8. Effects retained by Gaoler.
9. Register of certain Particulars relating to Prisoner.
10. Removal and Discharge of Prisoners.
11. Separation of Prisoners.
12. Female Prisoners.

Food, Clothing, and Bedding of Prisoners.

13. Spirituous Liquors.
14. Smoking.
15. Order of Surgeon as to Spirituous Liquors, &c.
16. Debtor may maintain himself.
17. Debtor not to sell Provisions.
18. Prison Allowance to Debtors.
19. Prisoner before Trial may maintain himself.
20. Dress of Criminal Prisoner before Trial.
21. Prison Allowance of Food for convicted Prisoner.
22. Convicted Prisoner restricted to Prison Allowances.
23. Dress of convicted Criminal.
24. Return of Clothing to discharged Prisoner.
25. Purification of Clothing of Prisoner.
26. Beds.
27. Bedding.

Personal Cleanliness.

28. Personal Cleanliness of Prisoners.
29. Hair-cutting.

Employment of Prisoners.

30. Prohibition of Gaming.
31. Work and Earnings of Debtors.
32. Employment of Criminal Prisoners before Trial.
33. Allowance out of Earnings to acquitted Prisoners.
34. Regulations as to Hard Labour of the First Class.
35. Regulations as to Hard Labour of the Second Class.

Prisons.

No.
36. Days of Exemption from Hard Labour.
37. Examination by Surgeon of Prisoners at Hard Labour.
38. Employment of Prisoners not sentenced to Hard Labour.

Health of Prisoners.

39. Exercise of Debtors.
40. Of Prisoners in separate Confinement.
41. When Prisoners to be reported to Surgeon.
42. Entry of Directions by Surgeon.
43. Infirmaries.

Religious Instruction.

44. Room for Use as Chapel.
45. Prayers.
46. Performance of Divine Service.
47. Ministers to visit Prisoners under certain Restrictions.
48. Books and Printed Papers.
49. Chaplain to communicate Abuses to Gaoler.
50. Assistant Chaplain and Chaplain's Substitute.
51. Substitute for Prison Minister.
52. Substitute on Death of Chaplain or Minister.

Instruction.

53. Instruction of Prisoners.

Visits to and Communications with Prisoners.

54. Communication with Prisoners.
55. Power of Gaoler as to Visitors.

Prison Offences.

56. General Regulation as to Punishment.
57. Gaoler to punish for Prison Offences.
58. Punishment of Prisoners by Visiting Justices.
59. Use of Irons.
60. Corporal Punishments.

Prisoners under Sentence of Death.

61. Prisoners under Sentence of Death.

Prison Officers.

62. Regulation as to Employment of Prisoners in Prison Offices.
63. Prison Officers to be Constables.
64. Officers not to sell or let to Prisoners.
65. Officers not to contract with Prisoners.
66. Officers not to take Gratuities.
67. Females to be attended by Female Officers.

Gaoler.

68. Residence of Gaoler.
69. Gaoler to conform to Law and Regulations of Prison.
70. May suspend subordinate Officers.
71. To inspect the Prison daily.
72. To post up in Cells Abstract of certain Regulations.
73. To report to Surgeon Prisoners disordered in Mind.
74. To notify to Chaplain and Surgeon Prisoners requiring their Attention.

75. To

Prisons.

No.
75. To give Notice of Death of Prisoners.
76. To report to Visiting Justices Insane Prisoners.
77. To keep enumerated Books and Accounts.
78. To be responsible for safe Custody of Documents.
79. Not to be absent without Leave.
80. Power of Deputy Gaoler. Substitute of Deputy Gaoler.

Matron

81. General Duties.
82. To inspect daily Female Prison.
83. Not to be absent without Leave.
84. To appoint Deputy when absent.
85. To keep Journal.

Surgeon.

86. When to visit Prison.
87. To make daily Record in respect of sick Prisoners.
88. Occasionally to inspect every Part of Prison.
89. To report special Cases.
90. To call in additional Medical Aid.
91. To make Entries as to Death of Prisoner.
92. To appoint Substitute when absent.

PRISON OFFICERS.

93. Officers to obey Gaoler.
94. Not to be absent without Leave.
95. Not to receive Visitors without Leave.
96. To examine Cells, Locks, &c.

Porter.

97. Duties of Gate Porter.

Reports.

98. Gaoler to transmit List of Prisoners to Secretary of State.
99. Gaoler to attend Sessions and make Report.
100. Journals and Reports of Chaplain and Surgeon.
101. Record of Visits of Chaplain and non-resident Officers.

Construction and Application of Schedule.

102. Rules as to Prisoners not Debtors or Criminals.
103. Construction of Word "Regulation."
104. Definition of Subordinate Officers.

SCHEDULE II.
List of discontinued Prisons.

SCHEDULE III.
List of Acts repealed.

SCHEDULE I.

REGULATIONS FOR GOVERNMENT OF PRISONS.

General.

1. The Prison shall be kept in a cleanly State, and the Walls and Ceilings of the Wards, Cells, Rooms, and Passages used by the Prisoners throughout every Prison shall either be painted with Oil, or be limewashed, or partly painted and partly limewashed. Where painted with Oil the Painting shall be washed with hot Water and Soap once at least in every Six Months. Where limewashed the Limewashing shall be renewed once at least in every Year. The Day Rooms, Work Rooms, Passages, and Sleeping Cells shall be washed or cleansed once a Week, or oftener if requisite. Cleanliness in Prison.

2. No Thing shall be allowed to grow against the outer Walls of the Prison, nor any Rubbish or other Articles to be laid against them, nor shall any Tools or Implements of any Kind likely to facilitate Escape be left unnecessarily exposed. Trees, &c. not allowed against Walls.

3. Thermometers shall be placed in different Parts of the Prison. Temperature of Prison.

4. No Person shall be permitted to sleep in the Apartments of any subordinate Officer of the Prison without Permission from the Gaoler, such Permission to be reported to a Visiting Justice. Visitors not to sleep within the Prison.

5. A Report shall be made to the Gaoler at Ten o'Clock each Night whether the Officers resident in the Prison are all present; and no Ingress or Egress shall be allowed into or out of the Prison between the Hours of Ten o'Clock at Night and Six o'Clock in the Morning, except to the Gaoler and his Family, the Chaplain, or Surgeon, or in special Cases, which shall be entered in the Journal of the Gaoler. Hours of locking and unlocking the Prison.

Admission and Discharge of Prisoners.

6. Prisoners on Admission shall be searched, and all dangerous Weapons, Articles calculated to facilitate Escape, and prohibited Articles, shall be taken from them. Search of Prisoners on Admission.

7. No Prisoner shall be searched in the Presence of any other Prisoner. Prisoner to be alone when searched.

8. All Money or other Effects brought into the Prison by any Prisoner, or sent to the Prison for his Use, which he is not allowed to retain, shall be placed in the Custody of the Gaoler, who shall keep an Inventory of them in a separate Book. Effects retained by Gaoler.

9. The Name, Age, Height, Weight, Features, particular Marks, and general Appearance of a Criminal Prisoner shall, upon his Admission, be noted in a Nominal Record of Prisoners, to be kept by the Gaoler. Every Criminal Prisoner shall also, as soon as possible, be examined by the Surgeon, who shall enter in a Book to be kept by the Gaoler a Record of the State of Health of the Prisoner, and any Observations he may deem it expedient to add. Register of certain Particulars relating to Prisoner.

10. All

Prisons.

Removal and Discharge of Prisoners.

10. All Prisoners, previously to being removed to any other Prison or being discharged from Prison, shall be examined by the Surgeon; and no Prisoner shall be removed to any other Prison unless the Surgeon certifies, by an Entry in the Nominal Record, that the Prisoner is free from any Illness that renders him unfit for Removal; and no Prisoner shall be discharged from Prison if labouring under any acute or dangerous Distemper, nor until, in the Opinion of the Surgeon, such Discharge is safe, unless such Prisoner require to be discharged.

Separation of Prisoners.

11. Prisoners before Trial shall be kept apart from convicted Prisoners.

Female Prisoners.

12. Female Prisoners shall be searched on Admission by Female Officers. In other respects the same Course shall be pursued in reference to the Admission, Removal, or Discharge of a Female Prisoner as in the Case of a Male Prisoner, the Matron performing the Duties imposed on the Gaoler in case of a Male Prisoner

Food, Clothing, and Bedding of Prisoners.

Spirituous Liquors.

13. No Tap shall be kept in any Prison; nor shall Spirituous Liquors of any kind be admitted for the Use of any of the Prisoners therein, under any Pretence whatever, unless by a written Order of the Surgeon, specifying the Quantity to be admitted, and the Name of the Prisoner for whose Use it is intended; but this Regulation shall not apply to any Stock of Spirituous Liquors kept in the Prison for the Use of the Infirmary, and under the Control of the Surgeon.

Smoking.

14. No Smoking shall be allowed, or Tobacco introduced, except with the Consent and subject to the Rules made by the Visiting Justices, or under a written Order of the Surgeon.

Order of Surgeon as to Spirituous Liquors, &c.

15. Any Order by the Surgeon for the Admission of Spirituous Liquors or Tobacco shall be entered by him in his Journal

Debtor may maintain himself.

16. A Debtor shall be permitted to maintain himself, and to procure or receive at proper Hours Food, Wine, Malt Liquor, Clothing, Bedding, or other Necessaries, but subject to Examination, and to such Rules as may be approved by the Visiting Justices.

Debtor not to sell Provisions.

17. No Part of any Food, Wine, Malt Liquor, Clothing, Bedding, or other Necessaries belonging to any Debtor shall be sold to any other Prisoner; and any Debtor transgressing this Regulation shall lose the Privilege of receiving or purchasing any Wine or Malt Liquor for such a Time as the Visiting Justices may deem proper.

Prison Allowance to Debtors.

18. A Debtor, if unable to provide himself with sufficient Food, Clothing, Bedding, or other Necessaries, shall receive the Allowance of Food, Clothing, Bedding, or other Necessaries allotted to Debtors unable to maintain themselves by the Prison Rules for the Time being in force.

Prisoner before Trial may maintain himself.

19. A Criminal Prisoner before Trial may procure for himself, or receive at proper Hours, Food, and Malt Liquor, Clothing, Bedding, or other Necessaries, subject to Examination, and to such Rules as may be approved by the Visiting Justices; and any Articles so procured may be paid for out of the Monies belonging to such Prisoner in the Hands of the Gaoler. No Part of such Food, Malt Liquor, Bedding, Clothing, or other Necessaries shall

shall be sold or transferred to any other Prisoner; and any Prisoner transgressing this Regulation shall be prohibited from procuring any Food or other Necessaries for such Time as the Visiting Justices may deem proper. If a Criminal Prisoner before Trial does not provide himself with Food, he shall receive the Allowance of Food allotted to Criminal Prisoners before Trial by the Rules of the Prison.

Dress of Criminal Prisoner before Trial.

20. Criminal Prisoners before Trial may, if they desire it, wear the Prison Dress, and they shall be required to do so if their own Clothes are insufficient or unfit for Use, or necessary to be preserved for the Purposes of Justice. The Prison Dress for Prisoners before Trial shall be of a different Colour from that of convicted Prisoners.

Prison Allowance of Food for convicted Prisoner.

21. Every convicted Criminal Prisoner shall be allowed a sufficient Quantity of Food according to the Scale established by the Rules of the Prison. Prisoners under the Care of the Surgeon shall be allowed such Diet as he may direct. Care shall be taken that all Provisions supplied to the Prisoners be of proper Quality and Weight. Scales and legal Weights and Measures shall be provided, open to the Use of any Prisoners, under such Restrictions as may be made by the Prison Rules.

Convicted Prisoner restricted to Prison Allowances.

22. No convicted Criminal Prisoner shall be allowed any Wine, Beer, or other fermented Liquor, except under a written Order from the Surgeon, to be entered in his Journal, specifying the Quantity and the Name of the Prisoner for whose Use it is intended, or shall receive any Food, Clothing, Bedding, or Necessaries other than the Prison Allowance, except under special Circumstances, to be judged of by One or more of the Visiting Justices, and to be reported to the Prison Authority.

Dress of convicted Criminal.

23. A convicted Criminal Prisoner shall be provided with a complete Prison Dress, and shall be required to wear it.

Return of Clothing to discharged Prisoner.

24. On the Discharge of a Prisoner his own Clothes shall be returned to him unless it has been found necessary to destroy them, in which Case he shall be provided with Clothing.

Purification of Clothing of Prisoner.

25. If necessary, the Clothes of a Prisoner shall be purified before he is allowed to wear them in the Prison or to take them on his Discharge.

Beds.

26. Every Male Prisoner shall sleep in a Cell by himself, or under special Circumstances in a separate Bed placed in a Cell containing not fewer than Two other Male Prisoners, and sufficient Bed Clothes shall be provided for every Prisoner. A convicted Criminal Prisoner may be required to sleep on a Plank Bed without a Mattrass during such Time as may be determined by the Rules of the Prison. Epileptic Prisoners, or Prisoners labouring under Diseases requiring Assistance or Supervision in the Night, may at any Time, notwithstanding this Regulation, be placed by Order of the Surgeon with not fewer than Two other Male Prisoners.

Bedding.

27. The Bed Clothes shall be aired, changed, and washed as often as the Surgeon or the Visiting Justices may direct.

Personal Cleanliness.

Personal Cleanliness of Prisoners.

28. Prisoners shall be required to keep themselves clean and decent in their Persons, and to conform to such Rules as may be laid down for that Purpose.

Prisons.

Hair-cutting.

29 The Hair of a Female Prisoner shall not be cut without her Consent, except on account of Vermin or Dirt, or when the Surgeon deems it requisite on the Ground of Health, and the Hair of Male Criminal Prisoners shall not be cut closer than may be necessary for Purposes of Health and Cleanliness.

Employment of Prisonèrs.

Prohibition of Gaming

30. No Gaming shall be permitted in any Prison, and the Gaoler shall seize and destroy all Dice, Cards, or other Instruments of Gaming.

Work and Earnings of Debtors

31 Debtors may be permitted to work and follow their respective Trades and Professions, provided their Employment does not interfere with the Regulations of the Prison; and such Debtors as find their own Implements, and are not maintained at the Expense of the Prison, shall be allowed to receive the whole of their Earnings; but the Earnings of such as are furnished with Implements, or are maintained at the Expense of the Prison, shall be subject to a Deduction, to be determined by the Visiting Justices, for the Use of Implements and the Cost of Maintenance.

Employment of Criminal Prisoners before Trial.

32. Criminal Prisoners before Trial shall have the Option of Employment, but shall not be compelled to perform any Hard Labour.

Allowance out of Earnings to acquitted Prisoners.

33. On the Acquittal of any Criminal Prisoner, or when no Bill of Indictment is found against him, such an Allowance on account of his Earnings, if any, shall be paid to such Prisoner on his Discharge as the Visiting Justices may think reasonable.

Regulations as to Hard Labour of the First Class.

34. Every Male Prisoner of Sixteen Years of Age and upwards, sentenced to Hard Labour, shall, during the whole of his Sentence where it does not exceed Three Months, and during the First Three Months of his Sentence where it exceeds Three Months, be kept at Hard Labour of the First Class for such Number of Hours not more than Ten or less than Six (exclusive of Meals) as may be prescribed by the Visiting Justices, and during the Remainder of his Sentence shall be kept in like Manner at Hard Labour of the First Class, except where during such Remainder of his Sentence the Visiting Justices substitute Hard Labour of the Second Class for Hard Labour of the First Class; provided that if the Surgeon certifies any such Prisoner to be unfit to be kept at Hard Labour of the First Class during the whole or any Part of the prescribed Hours, such Prisoner shall, during such whole or Part of the prescribed Hours, be kept at Hard Labour of the Second Class, unless the Surgeon certifies that such Prisoner is unfit to be kept at either Class of Hard Labour during the whole or any Part of such Hours; provided that Prisoners sentenced to Hard Labour for Periods not exceeding Fourteen Days may, in pursuance of Rules made by the Justices in Sessions, be kept in separate Confinement at Hard Labour of the Second Class during the whole Period of their Sentences.

Regulations as to Hard Labour of the Second Class.

35. Every Male Prisoner under the Age of Sixteen Years sentenced to Hard Labour, and every Female Prisoner sentenced to Hard Labour, shall be kept at Hard Labour of the Second Class during such Number of Hours not more than Ten or less than Six (exclusive of Meals) in each Day as may be prescribed by the Visiting Justices, unless the Surgeon certifies that he or she is unfit for Hard Labour.

Days of Exemption from Hard Labour.

36. No Prisoner shall be employed at Hard Labour on Sundays, Christmas Day, Good Friday, and Days appointed for Public Fasts or Thanksgivings.

37. The

Prisons.

37. The Surgeon shall from Time to Time examine the Prisoners sentenced to Hard Labour during the Time of their being so employed, and shall enter in his Journal the Name of any Prisoner whose Health he thinks to be endangered by a Continuance at Hard Labour of either Class, and thereupon such Prisoner shall not again be employed at such Class of Hard Labour until the Surgeon certifies that he is fit for such Employment. Examination by Surgeon of Prisoners at Hard Labour.

38. Provision shall be made by the Visiting Justices for the Employment of all convicted Criminal Prisoners not sentenced to Hard Labour. The Visiting Justices shall make Rules as to the Amount and Nature of such Employment, but no Prisoner not sentenced to Hard Labour shall be punished for Neglect of Work, excepting by such Alteration in the Scale of Diet as may be established by the Rules of the Prison in the Case of Neglect of Work by such Prisoners. Employment of Prisoners not sentenced to Hard Labour.

Health of Prisoners.

39. Debtors shall have the Means of daily taking Exercise in the open Air. Exercise of Debtors.

40. Criminal Prisoners, if employed at Work in their own Cells, shall be permitted to take such Exercise in the open Air as the Surgeon may deem necessary for their Health. Of Prisoners in separate Confinement.

41. The Names of the Prisoners who desire to see the Surgeon, or appear out of Health, shall be reported by the Officer attending them to the Gaoler, and by him without Delay to the Surgeon. When Prisoners to be reported to Surgeon.

42. All Directions given by the Surgeon in relation to any Prisoner, with the Exception of Orders for the Supply of Medicines or Directions in relation to such Matters as are carried into effect by the Surgeon himself or under his Superintendence, shall be entered Day by Day in his Journal, which shall have a separate Column in which Entries are to be made by the Gaoler, stating in respect of each Direction the Fact of its having been or not having been complied with, accompanied by such Observations, if any, as the Gaoler may think fit to make, and the Date of the Entry. Entry of Directions by Surgeon.

43. In every Prison an Infirmary, or proper Place for the Reception of sick Prisoners shall be provided. Infirmaries.

Religious Instruction.

44 In every Prison where there is no Chapel a suitable Room shall be set apart for the Purposes of the Chapel. Room for Use as Chapel.

45. Prayers to be selected by the Chaplain from the Liturgy of the Established Church shall be read daily by the Chaplain, Gaoler, or such other Person as may be appointed by the Visiting Justices, and at such Time or Times as may be fixed by them, and Portions of the Scriptures shall be read to the Prisoners, when assembled for Religious Instruction, by the Chaplain, or by such Person, with the Consent of the Visiting Justices, as he may appoint. Prayers.

46. The Chaplain shall on every Sunday, and on Christmas Day and Good Friday, perform the appointed Morning and Evening Services of the Established Church, and preach at such Time or Times as shall be fixed by him with the Approval of the Visiting Justices. He shall give Religious and Moral Instruction to the Prisoners who are willing to receive it. He shall administer the Holy Sacrament of the Lord's Supper on suitable Occasions to such Prisoners as shall be desirous, and as he may deem to be in a proper Frame of Mind Performance of Divine Service.

to

to receive the same. He shall frequently visit every Room and Cell of the Prison occupied by Prisoners, and shall direct such Books to be distributed and read and such Lessons to be taught in the Prison as he may deem proper for the Religious Instruction of the Prisoners. Criminal Prisoners shall attend Divine Service on Sundays, and on other Days when such Service is performed, unless prevented by Illness or other reasonable Cause, to be allowed by the Gaoler, or unless their Attendance is dispensed with by the Visiting Justices: This Regulation shall not apply to any Prisoner who is attended or visited by a Minister of a Church or Persuasion differing from the Established Church: And no Prisoner shall be compelled to attend any Religious Service held or performed, or any Religious Instruction given, by the Chaplain, Minister, or Religious Instructor of a Church or Persuasion to which the Prisoner does not belong.

Ministers to visit Prisoners under certain Restrictions.

47. If any Prisoner is of a Religious Persuasion differing from that of the Established Church, and no Minister has been appointed to attend at the Prison on the Prisoners of that Persuasion, the Visiting Justices shall permit a Minister of such Persuasion to be approved by them to visit such Prisoner at proper and reasonable Times, under such Restrictions as may be imposed by the Visiting Justices to guard against the Introduction of improper Persons and prevent improper Communications, unless such Prisoner expressly objects to see such Minister.

Books and Printed Papers.

48. No Books or Printed Papers shall be admitted into any Prison for the Use of the Prisoners, except by Permission of the Visiting Justices; and no Books or Printed Papers intended for the Religious Instruction of Prisoners belonging to the Established Church shall be admitted but those chosen by the Chaplain; provided that in case there may be a Difference of Opinion between the Chaplain and Visiting Justices with respect to Books or Papers proposed to be admitted for the Religious Instruction of a Prisoner belonging to the Established Church, Reference shall be had to the Bishop of the Diocese, whose Decision shall be final; and, subject to such Permission of the Visiting Justices as aforesaid, all Books or Printed Papers admitted into any Prison for the Religious Instruction of Prisoners belonging to any other Persuasion, and who are visited by a Minister of such Persuasion, shall be approved by such Minister; and the Gaoler shall keep a Catalogue of all Books and Printed Papers admitted into the Prison.

Chaplain to communicate Abuses to Gaoler.

49. The Chaplain shall communicate to the Gaoler any Abuse or Impropriety in the Prison which may come to his Knowledge, and shall enter the same in his Journal.

Assistant Chaplain and Chaplain's Substitute.

50. Where an Assistant Chaplain is appointed to a Prison, he shall be competent to perform any Duty required by Law to be performed by the Chaplain, and when either of them, the Chaplain or Assistant Chaplain, is absent from the Prison, the other shall take his Duties. Where there is no Assistant Chaplain, or in case of the Services of the Assistant Chaplain not being available by reason of Sickness or other unavoidable Cause, the Chaplain shall, when absent from the Prison on Leave or from any unavoidable Cause, appoint, with the Consent of the Visiting Justices, a Substitute, and insert his Name and Residence in his Journal. In the event of any sudden Cause preventing the Chaplain, or, in the Absence of the Chaplain, the Assistant Chaplain, from performing his Duties, he may accept the Assistance of

Prisons.

of a Clergyman of the Established Church in the Performance of Divine Service in the Chapel, inserting the Fact, and the Name of such Clergyman, in his Journal.

51. A Minister appointed under the Prison Ministers Act, 1863, may, when absent on Leave, or from any unavoidable Cause, appoint a Substitute with the Consent of the Visiting Justices. Substitute for Prison Minister.

52. In the event of the Death of any Chaplain or Assistant Chaplain of a Prison, or of a Minister appointed under the Prison Ministers Act, 1863, the Visiting Justices shall provide a Substitute until the next Meeting of the Justices in Sessions. Substitute on Death of Chaplain or Minister.

Instruction.

53. Provision shall be made in every Prison for the Instruction of Prisoners in Reading, Writing, and Arithmetic during such Hours and to such Extent as to the Visiting Justices may seem expedient, provided that such Hours shall not be deducted from the Hours prescribed for Hard Labour. Instruction of Prisoners.

Visits to and Communications with Prisoners.

54. Due Provision shall be made for the Admission, at proper Times and under proper Restrictions, of Persons with whom Prisoners before Trial may desire to communicate, Care being taken that, so far as is consistent with the Interests of Justice, such Prisoners shall see their legal Advisers alone; such Rules also shall be made by the Justices in Sessions assembled for the Admission of the Friends of convicted Prisoners as they may deem expedient; the Justices shall also impose such Restrictions upon the Communication and Correspondence of Prisoners with their Friends as they judge necessary for the Maintenance of good Order and Discipline in such Prison. Communication with Prisoners.

55. The Gaoler may demand the Name and Address of any Visitor to a Prisoner; and when he has any Ground for Suspicion may search or cause to be searched Male Visitors, and may direct the Matron or some other Female Officer to search Female Visitors, such Search not to be in the Presence of any Prisoner or of another Visitor; and in case of any Visitor refusing to be searched, the Gaoler may deny him or her Admission; the Grounds of such Proceeding, with the Particulars thereof, to be entered in his Journal. Power of Gaoler as to Visitors.

Prison Offences.

56. No Punishments or Privations of any kind shall be awarded, except by the Gaoler, or by a Visiting or other Justice. General Regulation as to Punishment.

57. The Gaoler shall have Power to hear Complaints respecting any of the Offences following; that is to say, Gaoler to punish for Prison Offences.

1. Disobedience of the Regulations of the Prison by any Prisoner;
2. Common Assaults by one Prisoner on another;
3. Profane cursing and swearing by any Prisoner;
4. Indecent Behaviour by any Prisoner;
5. Irreverent Behaviour at Chapel by any Prisoner;
6. Insulting or threatening Language by any Prisoner to any Officer or Prisoner;
7. Absence from Chapel without Leave by any Criminal Prisoner;
8. Idleness or Negligence at Work by any convicted Criminal Prisoner;
9. Wilful Mismanagement of Work by any convicted Criminal Prisoner.

All the above Acts are declared to be Offences against Prison Discipline; and it shall be lawful for the Gaoler to examine any Person touching such Offences, and to determine thereupon, and to punish such Offences by ordering any Offender, for any Time not exceeding Three Days, to close Confinement, to be kept there upon Bread and Water. And the Gaoler shall enter in a separate Book called the Punishment Book a Statement of the Nature of any Offence that he has punished in pursuance of this Regulation, with the Addition of the Name of the Offender, the Date of the Offence, and the Amount of Punishment inflicted.

Punishment of Prisoners by Visiting Justices.

58. If any Criminal Prisoner is guilty of repeated Offences against Prison Discipline, or is guilty of any Offence against Prison Discipline, which the Gaoler is not by this Act empowered to punish, the Gaoler shall report the same to the Visiting Justices, or One of them; and any One of such Justices, or any other Justice having Jurisdiction in the Place to which the Prison belongs, shall have Power to inquire upon Oath and to determine concerning any Matter so reported to him, and to order the Offender to be punished by Confinement in a Punishment Cell for any Term not exceeding One Month, or, in the Case of Prisoners convicted of Felony or sentenced to Hard Labour, by personal Correction.

Use of Irons.

59. No Prisoner shall be put in Irons or under mechanical Restraint by the Gaoler of any Prison, except in case of urgent Necessity; and the Particulars of every such Case shall be forthwith entered in the Gaoler's Journal, and Notice forthwith given thereof to One of the Visiting Justices; and no Prisoner shall be kept in Irons or under mechanical Restraint for more than Twenty-four Hours without an Order in Writing from a Visiting Justice, specifying the Cause thereof, and the Time during which the Prisoner is to be kept in Irons or under mechanical Restraint, which Order shall be preserved by the Gaoler as his Warrant.

Corporal Punishments.

60. All Corporal Punishments within the Prison shall be attended by the Gaoler and the Surgeon. The Surgeon shall give such Orders for preventing Injury to Health as he may deem necessary, and it shall be the Duty of the Gaoler to carry them into effect, and the Gaoler shall enter in the Punishment Book the Hour at which the Punishment is inflicted, the Number of Lashes, and any Orders which the Surgeon may have given on the Occasion.

Prisoners under Sentence of Death.

Prisoners under Sentence of Death.

61. Every Prisoner under Warrant or Order for Execution shall, immediately on his Arrival in the Prison after Sentence, be searched by or by the Orders of the Gaoler, and all Articles shall be taken from him which the Gaoler deems dangerous or inexpedient to leave in his Possession. He shall be confined in a Cell apart from all other Prisoners, and shall be placed by Day and by Night under the constant Charge of an Officer. He shall be allowed such a Dietary and Amount of Exercise as the Gaoler, with the Approval of the Visiting Justices, may direct. The Chaplain shall have free Access to every such Prisoner, unless the Prisoner be of a Religious Persuasion differing from that of the Established Church, and be visited by a Minister of such Persuasion, in which Case the Minister of such Persuasion shall have free Access to him. With the above Exceptions, no Person, not being a Visiting

Prisons.

Visiting Justice or an Officer of the Prison, shall have Access to the Prisoner except in pursuance of an Order from a Visiting Justice.

During the Preparation for an Execution, and the Time of the Execution, no Person shall enter the Prison who is not legally entitled to do so, unless in pursuance of an Order in Writing from Two or more Visiting Justices.

Prison Officers.

Regulation as to Employment of Prisoners in Prison Offices.

62. No Prisoner shall be employed as Turnkey, Assistant Turnkey, Wardsman, Yardsman, Overseer, Monitor, or Schoolmaster, or in the Discipline of the Prison, or in the Service of any Officer thereof, or in the Service or Instruction of any other Prisoner. But this Regulation shall not be taken to prevent the Employment of any Debtor in that Part of the Prison in which he may be lawfully confined in any Manner in which he may be willing to be employed, and which is consistent with his safe Custody.

Prison Officers to be Constables.

63. Every Prison Officer, while acting as such, shall, by virtue of his Appointment, and without being sworn in before any Justice, be deemed to be a Constable, and to have all such Powers, Authorities, Protection, and Privileges for the Purpose of the Execution of his Duty as a Prison Officer as any Constable duly appointed has within his Constablewick by Common Law, Statute, or Custom.

Officers not to sell or let to Prisoners.

64. No Officer of a Prison shall sell or let to, nor shall any Person in trust for or employed by him sell or let to, or derive any Benefit from the selling or letting of any Article to any Prisoner.

Officers not to contract with Prisoners.

65. No Officer of a Prison shall, nor shall any Person in trust for or employed by him, have any Interest, direct or indirect, in any Contract for the Supply of the Prison.

Officers not to take Gratuities.

66. No Officer of a Prison shall at any Time receive Money, Fee, or Gratuity of any Kind for the Admission of any Visitors to the Prison or to Prisoners, or from or on behalf of any Prisoner, on any Pretext whatever.

Females to be attended by Female Officers.

67. Female Prisoners shall in all Cases be attended by Female Officers.

Gaoler.

Residence of Gaoler.

68. The Gaoler shall reside in the Prison. He shall not be an Under Sheriff or Bailiff, or be concerned in any other Employment.

Gaoler to conform to Law and Regulations of Prison.

69. The Gaoler shall strictly conform to the Law relating to Prisons and to the Prison Regulations, and shall be responsible for the due Observance of them by others. He shall observe the Conduct of the Prison Officers, and enforce on each of them the due Execution of his Duties, and shall not permit any subordinate Officer to be employed in any private Capacity, either for any other Officer of the Prison, or for any Prisoner.

May suspend subordinate Officers.

70. The Gaoler shall, in case of Misconduct, have Power to suspend any subordinate Officer, and shall report the Particulars without Delay to a Visiting Justice.

To inspect the Prison daily.

71. The Gaoler shall, as far as practicable, visit the whole of the Prison, and see every Male Prisoner once at least in every Twenty-four Hours, and in default of such daily Visits and Inspections he shall state in his Journal how far he has omitted them, and the Cause thereof. He shall, at least

least once during the Week, go through the Prison at an uncertain Hour of the Night, which Visit, with the Hour and State of the Prison at the Time, he shall record in his Journal. When visiting the Females' Prison he shall be attended by the Matron or some other Female Officer.

To post up in Cells Abstract of certain Regulations.

72. The Gaoler shall cause an Abstract to be approved by the Secretary of State of the Regulations relating to the Treatment and Conduct of Prisoners, with a Copy of the Prison Dietaries, (printed in legible Characters,) to be posted in each Cell, and shall read or cause the same to be read to every Prisoner who cannot read within Twenty-four Hours after his Admission.

To report to Surgeon Prisoners disordered in Mind.

73. The Gaoler shall without Delay call the Attention of the Surgeon to any Prisoner whose State of Mind or Body appears to require Attention, and shall carry into effect the written Directions of the Surgeon respecting Alterations of the Discipline or Treatment of any such Prisoner.

To notify to Chaplain and Surgeon Prisoners requiring their Attention.

74. The Gaoler shall notify to the Surgeon without Delay the Illness of any Prisoner, and shall deliver to him daily a List of such Prisoners as complain of Illness, or are removed to the Infirmary, or confined to their Cells by Illness, and he shall daily deliver to the Chaplain and Surgeon Lists of such Prisoners as are confined in Punishment Cells.

To give Notice of Death of Prisoners.

75. Upon the Death of a Prisoner the Gaoler shall give immediate Notice thereof to the Coroner of the District to which the Prison belongs, and to One of the Visiting Justices, as well as to the nearest Relative of the Deceased, where practicable.

To report to Visiting Justices Insane Prisoners.

76. The Gaoler shall without Delay report to the Visiting Justices any Case of Insanity or apparent Insanity occurring among the Prisoners.

To keep enumerated Books and Accounts.

77. The Gaoler shall keep the following Records and Accounts:—

First, The Register required by the Prison Ministers Act, 1863, to be kept of the Church or Religious Persuasion to which each Prisoner belongs.

Second, A Journal in which he shall record all such Matters as he is directed to record therein by this Act, and all other Occurrences of Importance within the Prison.

Third, A Nominal Record of all Prisoners committed to his Charge, in such Form as may be directed by the Visiting Justices.

Fourth, A Punishment Book for the Entry of the Punishments inflicted for Prison Offences.

Fifth, A Visitors Book for the Entry of any Observations made by Visitors to the Prison.

Sixth, A Record of Articles taken from Prisoners.

Seventh, A Record of the Employment of Prisoners sentenced to Hard Labour, and the Manner in which they have been so employed.

Eighth, A List of Books and Documents committed to his Care.

Ninth, An Inventory of all the Furniture and moveable Property belonging to the Prison.

Tenth, An Account of all Prison Receipts and Disbursements.

To be responsible for safe Custody of Documents.

78. The Gaoler shall be responsible for the safe Custody of the Journals, Registers, Books, Commitments, and all other Documents confided to his Care.

79. The

79. The Gaoler shall not be absent from the Prison for a Night without Permission in Writing from a Visiting Justice; and his Leave of Absence, with the Name of the Visiting Justice granting it, shall be entered in his Journal; but if absent without Leave for a Night from unavoidable Necessity he shall state the Fact and the Cause of it in his Journal. Not to be absent without Leave.

80. Where a Deputy Gaoler is appointed to a Prison he shall be legally competent to perform any Duty required by Law to be performed by the Gaoler, and when the Gaoler is absent from the Prison the Deputy Gaoler shall perform all his Duties. Where there is no Deputy Gaoler, or in case of his Services not being available by reason of Sickness or other unavoidable Cause, the Gaoler shall, when absent from the Prison on Leave, appoint, with the Consent of the Visiting Justices, an Officer of the Prison to act as his Substitute, and during such Absence the Substitute so appointed shall have all the Powers and perform all the Duties of the Gaoler. Power of Deputy Gaoler.

The Deputy Gaoler when in charge of the Prison as Gaoler shall, if absent from the Prison from any unavoidable Cause, or unable from Sickness to perform his Duties, appoint a Substitute with the Sanction of the Visiting Justices. Substitute of Deputy Gaoler.

Matron.

81. The Matron shall reside in the Prison. She shall have the Care and Superintendence of the whole Female Department. The Wards, Cells, and Yards where Females are confined shall be secured by Locks different from those securing the Wards, Cells, and Yards allotted to Male Prisoners, and the Keys of those Locks shall be kept in the Custody of the Matron. General Duties.

82. The Matron shall, so far as practicable, visit and inspect every Part of the Prison occupied by Females, and see every Female Prisoner once at least in every Twenty-four Hours, and in default of such daily Visits and Inspections she shall state in her Journal how far she has omitted them, and the Cause thereof. She shall, at least once during the Week, go through such Part of the Prison at an uncertain Hour of the Night, which Visit, with the Hour and State of such Part of the Prison at the Time, shall be recorded in her Journal. To inspect daily Female Prison.

83. The Matron shall not be absent from the Prison for a Night without Permission in Writing from a Visiting Justice on the Recommendation of the Gaoler; and her Leave of Absence, with the Name of the Visiting Justice granting it, shall be entered in her Journal; but if absent without Leave for a Night from unavoidable Necessity she shall state the Fact and the Cause of it in her Journal. Not to be absent without Leave.

84. The Matron shall, with the Consent of the Gaoler, and with the Approval of the Visiting Justices, appoint a Female Officer of the Prison to act as Deputy Matron whenever she is absent on Leave from the Prison, and during such Absence the Deputy Matron shall have all the Powers and Duties of the Matron. Before leaving the Prison the Matron shall personally give over the Charge of the Part of the Prison occupied by Females to the Deputy Matron. To appoint Deputy when absent.

85. The Matron shall keep a Journal in which she shall record all Occurrences of Importance within her Department, and Punishments of Female Prisoners, and To keep Journal.

and lay the Journal before the Gaoler daily, and before the Visiting Justices at their Ordinary Meetings.

Surgeon.

When to visit Prison.

86. The Surgeon shall visit the Prison at least twice in every Week, and oftener if necessary, and shall see every Prisoner in the Course of the Week. He shall daily visit the Prisoners, if any, confined in Punishment Cells, and he shall visit daily, and oftener if necessary, such of the Prisoners as are sick, and, when necessary, shall direct any Prisoner to be removed to the Infirmary.

To make daily Record respecting sick Prisoners.

87. The Surgeon shall enter, in the English Language, Day by Day, in his Journal to be kept in the Prison, an Account of the State of every sick Prisoner, the Name of his Disease, a Description of the Medicines and Diet, and any other Treatment which he may order for such Prisoner.

Occasionally to inspect every Part of Prison, &c.

88. The Surgeon shall, once at least in every Three Months, inspect every Part of the Prison, and enter in his Journal the Result of each Inspection, recording therein any Observations he may think fit to make on any Want of Cleanliness, Drainage, Warmth, or Ventilation; any bad Quality of the Provisions, any Insufficiency of Clothing or Bedding, any Deficiency in the Quantity or Defect in the Quality of the Water, or any other Cause which may affect the Health of the Prisoners.

To report special Cases.

89. Whenever the Surgeon has Reason to believe that the Mind of a Prisoner is or is likely to be injuriously affected by the Discipline or Treatment, he shall report the Case in Writing to the Gaoler, together with such Directions as he may think proper, and he shall call the Attention of the Chaplain to any Prisoner who appears to require his special Notice.

To call in additional Medical Aid.

90. The Surgeon may, in any Case of Danger or Difficulty which appears to him to require it, call in additional Medical Assistance; and no serious Operation shall be performed without a previous Consultation being held with another Medical Practitioner, except under Circumstances not admitting of Delay, such Circumstances to be recorded in his Journal.

To make Entries as to Death of Prisoner.

91. The Surgeon shall, forthwith on the Death of any Prisoner, enter in his Journal the following Particulars; viz., at what Time the Deceased was taken ill, when the Illness was first communicated to the Surgeon, the Nature of the Disease, when the Prisoner died, and an Account of the Appearances after Death (in Cases where a post mortem Examination is made), together with any special Remarks that appear to him to be required.

To appoint Substitute when absent.

92. In case of Sickness, necessary Engagement, or Leave of Absence, to be given by the Visiting Justices, the Surgeon shall appoint a Substitute, approved of by the Visiting Justices. The Name and Residence of the Substitute shall be entered in his Journal.

PRISON OFFICERS.

Officers to obey Gaoler.

93. All Officers of the Prison shall obey the Directions of the Gaoler, subject to the Regulations of this Act, and all subordinate Officers shall perform such Duties as may be directed by the Gaoler, with the Sanction of the Visiting Justices, and the Duties of each subordinate Officer shall be inserted in a Book to be kept by him.

94. Subordinate

Prisons.

94. Subordinate Officers shall not be absent from the Prison without Leave from the Gaoler, and before absenting themselves they shall leave their Keys, Instruction Book, and Report Book in the Gaoler's Office. Not to be absent without Leave.

95. Subordinate Officers shall not be permitted to receive any Visitors within the Prison without Permission of the Gaoler. Not to receive Visitors without Leave.

96. All subordinate Officers shall frequently examine the State of the Cells, Bedding, Locks, Bolts, &c., and shall seize all prohibited Articles, and deliver them to the Gaoler forthwith. To examine Cells, Locks, &c.

Porter.

97. The Officer acting as Gate Porter may examine all Articles carried in or out of the Prison, and may stop any Person suspected of bringing in Spirits or other prohibited Articles into the Prison, or of carrying out any Property belonging to the Prison, giving immediate Notice thereof to the Gaoler. Duties of Gate Porter.

Reports.

98. Within One Week after the Termination of every Assize or Court of Quarter Sessions the Gaoler shall transmit by Post to One of Her Majesty's Principal Secretaries of State a Calendar containing the Names, Crimes, and Sentences of every Prisoner tried at such Assize or Court of Quarter Sessions in such Form and containing such Particulars as may be required by the Secretary of State; and whenever such Court adjourns for any longer Time than One Week, the Day upon which the Adjournment is made shall be deemed the Termination of the Session within the Meaning of this Regulation; and every adjourned Session for the Trial of Prisoners shall, for the Purposes of this Act, be deemed a separate Session; and every Gaoler who neglects or refuses to transmit such Calendar, or wilfully transmits a Calendar containing any false or imperfect Statement, shall for every such Offence forfeit a Sum not exceeding Twenty Pounds, to be recovered summarily. Gaoler to transmit List of Prisoners to Secretary of State.

99. The Visiting Justices shall once at least in each Quarter of the Year carefully examine the following Books kept by the Gaoler of every Prison, that is to say, the Register kept in pursuance of the Prison Ministers Act, 1863, the Journal, the Nominal Record, the Punishment Book, the Visitors Book, the Record of Articles taken from Prisoners, the Record of the Employment of Prisoners, the List of Books and Documents committed to his Care, the Inventory and the Account of Prison Receipts and Disbursements, and shall report to the Justices in Sessions assembled any special Circumstances which call for Notice in respect of such Books. The Gaoler shall also at such Sessions answer, on Oath if required, the Inquiries of the Justices with respect to the Condition of the Prison and of the Prisoners, and with respect to any other Matters relating thereto. He shall at the same Time present a Certificate, signed by himself, containing a Declaration how far the Requisitions of this Act with respect to the Separation of Prisoners and Enforcement of Hard Labour have been complied with, and shall point out any Deviation therefrom which has taken place since his last Attendance at Sessions. Gaoler to attend Sessions, and make Report.

100. The

Journals and Reports of Chaplain and Surgeon.

100. The Journals of the Chaplain and Surgeon shall, once at least in each Quarter of a Year, be laid before the Justices in Sessions assembled at such Time as they may appoint, and shall be signed by the Chairman of the Sessions in proof of the same having been there produced. The Chaplain shall once in the Year, and he may at any Sessions, deliver to the Justices in Sessions assembled a Statement of the Condition of the Prison to which he is attached, and his Observations thereon; and the Surgeon shall, once at least in each Quarter of a Year, report to the Justices in Sessions assembled the Condition of the Prison, and the State of Health of the Prisoners under his Care.

Record of Visits of Chaplain and Non-resident Officers.

101. There shall be kept in every Prison a Book, to be called the Non-resident Officers Book, in which the Chaplain and any other Officer of the Prison not residing within the Prison, but attending on or required to attend on such Prison, shall regularly enter the Date of every Visit made to the Prison by such Officer; and every Entry shall be signed with the Name and be in the Handwriting of such Officer, and such Book shall, once at least in each Quarter of a Year, be laid before the Justices in Sessions assembled at such Time as they may appoint, and shall be signed by the Chairman of the Sessions in proof of the same having been produced. The Gaoler of every Prison shall be responsible for the safe Custody of such Book, and shall at all Times, when required so to do, produce it for Inspection to the Visiting Justices, or to any Justice of the Peace for the County, Riding, Division, Hundred, District, City, Town, or Place to which the Prison belongs.

Construction and Application of Schedule.

Rules as to Prisoners not Debtors or Criminals.

102. Subject to the Provisions of this Act, the Justices in Sessions assembled shall make such Rules as they think expedient with respect to the Classification and Treatment of Prisoners who are not Debtors and are not Criminal Prisoners within the Meaning of this Act.

Construction of Word "Regulation."

103. Any Rules made by the Justices in Sessions assembled, or by the Visiting Justices, and any Dietary Tables framed in pursuance of this Act, shall be deemed to be Regulations of the Prison within the Meaning of this Act.

Definition of Subordinate Officers.

104. All Officers of a Prison shall be deemed to be subordinate Officers with the Exception of the Gaoler, the Chaplain, the Surgeon, the Matron, and any Minister appointed under the Prison Ministers Act.

SCHEDULE II.

Prisons of	Legal Character of Prison.	County.
Aberystwith - - -	Borough Prison	Cardigan.
Bradninch - - -	" - -	Devon.
Faversham - - -	" - -	Kent.
Helstone - - -	" - -	Cornwall.
King's Lynn - - -	" - -	Norfolk.
Lichfield - - -	" - -	Stafford.
Maldon - - - -	" - -	Essex.
Newcastle-under-Lyme - -	" - -	Stafford.
Penzance - -	" - -	Cornwall.
Richmond - - -	" - -	York.
Romney Marsh - - -	Liberty - -	Kent.
Rye - - - -	Borough - -	Sussex.
South Molton - - -	" - -	Devon.
Tenterden - - -	" - -	Kent.

SCHEDULE III.

LIST OF ACTS REPEALED.

Date.	Title of Act.	Extent of Repeal.
4 Geo. 4. c. 64. -	An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales.	The whole Act.
5 Geo. 4. c. 85. -	An Act for amending an Act of the last Session of Parliament relating to the building, repairing, and enlarging of certain Gaols and Houses of Correction, and for procuring Information as to the State of all other Gaols and Houses of Correction in England and Wales.	The whole Act.
6 Geo. 4. c. 40. -	An Act to enable Justices of the Peace in England in certain Cases to borrow Money on Mortgage of the Rate of the City, Riding, or Place for which such Justices shall be then acting.	The whole Act.
7 Geo. 4. c. 18. -	An Act to authorize the Disposal of unnecessary Prisons in England.	The whole Act.
5 & 6 W. 4. c. 38.	An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain.	Secs. 2, 5, 6, 11, and 12.
5 & 6 W. 4. c. 76.	An Act to provide for the Regulation of Municipal Corporations in England and Wales.	Secs. 115 and 116.
6 & 7 W. 4. c. 105.	An Act for the better Administration of Justice in certain Boroughs.	Secs. 1 and 2.

1195—96

Prisons.

Date.	Title of Act.	Extent of Repeal.
1 Vict. c. 78.	An Act to amend an Act for the Regulation of Municipal Corporations in England and Wales.	Secs. 37 and 38.
2 & 3 Vict. c. 56.	An Act for the better ordering of Prisons	The whole Act, except Secs. 18, 19, 20, and 21, and except Secs. 22 and 23 so far as they relate to Prisons or Places of Confinement to which this Act does not extend.
3 & 4 Vict. c. 25.	An Act to amend the Act for the better ordering of Prisons.	The whole Act.
5 & 6 Vict. c. 53.	An Act to encourage the Establishment of District Prisons.	The whole Act.
5 & 6 Vict. c. 98.	An Act to amend the Law relating to Prisons.	Secs. 1, 2, 4, 8, 9, 13, 25, and 30, so far as the said Sections relate to Prisons within the Provisions of this Act.
7 & 8 Vict. c. 50.	An Act to extend the Powers of the Act for encouraging the Establishment of District Courts and Prisons.	The whole Act.
7 & 8 Vict. c. 93.	An Act to enable Barristers to arbitrate between Counties and Boroughs to submit a Special Case to the Superior Courts.	The whole Act.
11 & 12 Vict. c. 39.	An Act to facilitate the raising of Money by Corporate Bodies for building or repairing Prisons.	The whole Act.
16 & 17 Vict. c. 43.	An Act for enabling the Justices of Counties to contract in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties.	The whole Act.
25 & 26 Vict. c. 44.	An Act to amend the Law relating to the giving of Aid to discharged Prisoners.	Secs. 2 and 3.
26 & 27 Vict. c. 79.	An Act for the Amendment of the Law relating to the religious Instruction of Prisoners in County and Borough Prisons in England and Scotland.	So much of Section 3 as is inconsistent with the Provisions of this Act, and the whole of Section 5, but so far only as relates to Prisons to which this Act applies.

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ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

LEGISLATIVE COUNCIL SECRETARY'S LIBRARY

CAP. CXXVII.

An Act to amend the Law relating to small Penalties. [6th *July* 1865.]

WHEREAS it is expedient to amend the Law relating to small Penalties: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Small Penalties Act, 1865."

2. This Act shall come into operation on the First Day of *August* One thousand eight hundred and sixty-five. Commencement of Act.

3. The Word "Penalty" in this Act shall include any Sum of Money recoverable in a summary Manner. Definition of "Penalty."

4. Where upon summary Conviction any Offender may be adjudged to pay a Penalty not exceeding Five Pounds, such Offender, in case of Nonpayment thereof, may, without any Warrant of Distress, be committed to Prison for any Term not exceeding the Period specified Recovery of small Penalties.

specified in the following Scale, unless the Penalty shall be sooner paid:

For any Penalty—	The Imprisonment not to exceed—
Not exceeding Ten Shillings - -	Seven Days.
Exceeding Ten Shillings and not exceeding One Pound - - - -	Fourteen Days.
Exceeding One Pound but not exceeding Two Pounds - - - - -	One Month.
Exceeding Two Pounds but not exceeding Five Pounds - - - - -	Two Months.

Saving as to Hard Labour.

5. Nothing in this Act contained shall affect the Power of imposing Hard Labour in addition to Imprisonment in Cases where Hard Labour might, on Nonpayment of the Penalty, have been so imposed if this Act had not passed.

Application of Act.

6. This Act shall apply to Penalties, including Costs, recoverable in a summary Manner in pursuance of any Act of Parliament, whether passed before or after the Commencement of this Act; and all Provisions of any Act of Parliament authorizing, in the Case of Nonpayment of a Penalty not exceeding Five Pounds, a longer Term of Imprisonment than is provided by this Act, shall be repealed.

Not to apply to Penalties under Revenue Acts.

7. This Act shall not a[illegible] y Act of Parliament relating to t[illegible]

Extent of Act.

8. This Act shall extend [illegible]

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Printers to the Queen's most Excellent Ma[illegible]